HUMAN RIGHTS IN NICARAGUA

HEARINGS

BEFORE THE

SUBCOMMITTEE ON WESTERN HEMISPHERE AFFAIRS

OF THE

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HUMAN RIGHTS IN NICARAGUA

THURSDAY, FEBRUARY 25, 1982

UNITED STATES SENATE,
SUBCOMMITTEE ON WESTERN HEMISPHERE AFFAIRS
OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 4221, Dirksen Senate Office Building, Hon. Jesse Helms (chairman of the subcommittee) presiding.

Present: Senators Helms, Zorinsky, and Dodd.

Senator HELMS. The subcommittee will come to order. We do not have a great abundance of Senators here this morning. The Senate was in session until almost 2 a.m. Some of the Senators were saying last night that they did not want a pay increase. They just wanted overtime.

Today the Subcommittee on the Western Hemisphere will hear testimony on the human rights situation in Nicaragua. The Chair feels that this hearing is needed in light of reports emerging from Nicaragua of the death of scores of members of the Indian tribes which have occupied the Atlantic coast region of Nicaragua for many centuries.

Sometimes it has been difficult to find any details about this in the media, but since December there have been reports reaching the Senate of repeated Sandinista forays into Indian territory, burning entire villages to the ground, burning people alive, burying them alive—a systematic, thorough, and sustained program of extermination in which dozens of villages have been destroyed and thousands of Indians moved or made refugees or disappeared.

I went to Honduras a few weeks ago for the inauguration of the new President and while I was there, purely by chance, I met with a number of clergymen and other citizens who knew firsthand of what had been going on in Nicaragua, and they wondered, as I wonder, why coverage of the dispicable activities of the Sandinistas is not given in the American news media.

I would like to mention that one of the leaders of the Miskito tribe, Mr. Stedman Fagoth Mueller, is in the audience today. He has just returned from the area where so much of this has happened. Now he will not be testifying before this hearing, but he will appear at a hearing of a Subcommittee of Foreign Relations, chaired by Senator Kasten, at 2 this afternoon, and I do hope that the media will take the time to cover that.

At 3:30 some of us will host an informal discussion with Mr. Fagoth Mueller in the committee's room in the Capitol, S–116. I would like to take this opportunity to urge any Senator whether on this committee or not to participate in that informal discussion and I shall so make the

announcement on the Senate floor when the Senate convenes later this morning.

Now back to the reports of extermination. These events seem to transcend all normal bounds of civilized behavior. The Sandinistas are now consolidating their power in Nicaragua and they have found the Miskito Indians to be too independent and too stubborn to suit the Sandinistas' plans for their subjection. It is a sad pattern, a pattern all too familiar in lands which have seen the wholesale erradication of races and classes of indigenous people who have stood in the way of revolutionary, so-called progress.

But perhaps the most troubling aspect of this phenomenon is the almost total lack of attention given it by groups and media which are so attentive to human violations, human rights violations in the past as long as those violations are to be blamed on the friends and allies of the United States.

If leftist guerrillas are never blamed in the dozens of stories which appear weekly in our national media covering Central America, then leftist regimes cannot be blamed either. It is an interesting double standard and I think that only time can tell where it will lead.

In the meantime, it is the duty of the subcommittee to request testimony on the subject and establish a record for whatever benefit it may be and let the facts speak for themselves.

This morning our first witness is the Hon. Elliott Abrams, who is Assistant Secretary, Bureau of Human Rights and Humanitarian Affairs, of the State Department. Mr. Secretary, we welcome you.

As you know, you occupy one of the most difficult positions in our administration in many respects. Certainly it is an important one. Through your office the values of our own tradition and people are applied to the approach that we will take with respect to the rest of the world.

Mr. Secretary, you may remember some remarks that I made in the Senate on November 17 of last year, the day you came before the committee as nominee for the position that you now hold. Just so the record can be complete, without objection I will direct that those remarks be inserted at this point in the record of the hearing.

[The material referred to follows:]

[From the Congressional Record, Nov. 17, 1981]

NOMINATION OF ELLIOTT ABRAMS

Mr. HELMS. Mr. President, today the Commit ee on Foreign Relations heard the testimony of Elliott Abrams, whom the President has nominated to serve as the Assistant Secretary of State for Human Rights and Humanitarian Affairs. Mr. Abrams was warmly welcomed by the members of the committee, and his nomination was approved by a unanimous and bipartisan vote.

Mr. President, the Reagan administration has consistently espoused the fundamental rule of liberty in the conduct of our Nation's foreign policy. In nominating Mr. Abrams for this sensitive post, the President has given this young man a unique opportunity to articulate to the world the true character of the issues at stake in discussions about "human rights" throughout the world. The human rights debate is fundamentally a battle of ideas, Mr. President, and Mr. Abrams appears to be a man whose education and experience equip him well to carry on a forceful and persuasive articulation of the truth about the human rights.

I am often saddened by the remarkable consistency with which many so-called human rights arguments are made in favor of regimes and movements whose ultimate goal and historical practice consists in the revolutionary subjugation

of a people to tyrannical by a narrow ideological party. It seems that some people will go to any extreme to defend leftist subversion, terrorism, and revolution anywhere in the world. They believe that no government is just unless it is Marxist. They believe that private property is "oppression." They believe that the family is an "obstacle to progress." They believe that religious faith is "the opiate of the masses."

The President, the substance of the human rights discussions normally reported in the international media is all too often polluted with these suppositions, however nicely disguised by legalisms and technical jargon. It is intellectually fashionable in many quarters these days to demean the family, to attack private property, to belittle religious faith, and to constantly heap abuse upon the values and traditions of our free Nation, while embracing unquestionably the most brutal of suppressions, so long as it promises, starry-eyed, the ideological deliverance of the people to a revolutionary utopia.

We all know where such revolution is coming from: The centers of export for totalitarian revolution around the world are common knowledge. North Korea has its agents in Latin America and Africa; Libya sends assassins to eliminate its enemies around the world; and Havana, Moscow, East Berlin and Peking all harmonize in the revolutionary symphony.

We must recall that, in the case of Argentina, of El Salvador, and of many other trouble spots in the world, it is precisely these revolutionary provocateurs who create the climate in which human rights violations are most likely to take place. Once the revolutionary insurgents have begun, their leftist allies in the propaganda network around the world begin to beat the drum about human rights violations, but always limit themselves to criticism of governments, not insurgents.

Those governments which they attack are usually those who are allied with the United States in opposition to Soviet imperialism—to call it by its proper name. It is my hope that what many perceive to a vacuum in the human rights dialog, the lack of criticism of leftist governments and the revolutionary terrorists they support around the world, will be eliminated by a sober, informed and consistent balance in our approach to human rights.

Mr. Abrams has a unique opportunity as the administration's "point man" in matters concerning human rights. To expose the fallacies of the arguments which seek to dignify totalitarianism. Mr. President, the battle is one of ideas. As Solzhenitsyn has written, and as he told me himself in reference to Russia, his homeland, the enemy is falsehood, and it inevitably brings violence in its wake. I wish Elliott Abrams such fortitude and perserverence in the task that awaits him.

Senator HELMS. Before we call on the Secretary, I would mention that the distinguished Jeane Kirkpatrick, U.S. Ambassador to the United Nations, was invited to appear this morning. She very much wanted to come, but she had responsibilities in New York and she has agreed to appear before the subcommittee either tomorrow or Monday.

Mr. Secretary, we invite you to proceed with your statement.

STATEMENT OF HON. ELLIOTT ABRAMS, ASSISTANT SECRETARY OF STATE FOR HUMAN RIGHTS AND HUMANITARIAN AFFAIRS

Mr. ABRAMS. Thank you very much, Mr. Chairman. I am pleased to appear before you today to discuss the human rights situation in Nicaragua.

The Sandinistas assumed power in Nicaragua in 1979 in an atmosphere of hope created by promises of democracy and justice and by relief at the end of a repressive regime. Shortly before assuming power, the government of national reconstruction had issued a communiqué promising to observe human rights, respect civil justice, and to hold Nicaragua's first free election in many decades.

Since then, we have witnessed the dashing of these hopes by the steady erosion of freedom, the silencing of those who disagree with the

Sandinistas, the establishment of alliances with the Soviet bloc, and recently, brutal attacks on previously unmolested Indians.

Nicaragua, which many had hoped would become a shining example for others of progressive democratic change, instead has been transformed into a repressive, threatening Marxist-Leninist oligarchy and a base for violent attacks upon other states in Latin America, possessing an army far more powerful than the legitimate defense interests of Nicaragua can possibly justify.

The process of the destruction of pluralism, freedom, and justice in Nicaragua has geen gradual, cumulative, and relentless. After promising elections, the government announced soon after it took power that they would be postponed until 1985. The Defense Minister declared that there was no need for elections because the people had voted during the revolution.

The multiparty Council of State established after the creation of the regime has been packed with Sandinistas and relegated to an inconsequential role. Political expression has been gravely limited for those who disagree with the Marxist oligarchy.

One unarmed opposition leader was murdered by government security forces. Opposition party rallies have been canceled and mobs used to ransack government opponents' offices. Travel of independent party leaders has been blocked. Private sector leaders, Stedman Fagoth, the leader of the Indian Federation, who, as you noted, is here today, and others disagreeing with the regime, have been arrested.

The Sandinistas have proceeded methodically to restrict freedom of the press and freedom of speech, perhaps the most essential steps in the establishment of a totalitarian regime. They have repeatedly invaded and closed La Prensa, a newspaper which criticizes the regime—as it criticized the Somoza regime—and speaks out for freedom.

They have banned critical news programs and even the masses said by Archbishop Obando y Bravo from independent radio stations. They have forbidden radio reports on national security, on sensitive economic issues, and on activities on the east coast.

The Sandinistas have severely curtailed their citizens' economic rights. In September 1981, they eliminated the right to strike and prohibited the communication of views that might lead to changes in salaries or prices.

In order to illustrate how this gradual process of repression works, let us observe what happened in just 1 month—last month, January 1982. In early January, the news programs of El Momento of Radio Mundial and La Opinion of Radio Mil were forced off the air indefinitely, charged with being antipatriotic and with violating the law by broadcasting misinformation and lies.

On January 13, the Minister of the Interior ordered an indefinite suspension of two independent radio news programs, the "Free Press" or Radio Catolica and the "Fourth Power" on Radio Mil.

January 13, again, a mob of Government supporters attacked the offices of La Prensa and three people were shot. There is some dispute as to the source of the gunfire. The Government closed La Prensa for 2 days following the incident, the sixth shutdown since the Sandinistas took power in July 1979. The demonstrators also defaced the homes

of La Prensa's editors, Jamie Chamorro Barrios and Pedro Joaquin Chamorro. State security troops occupied La Prensa for 2 days before allowing it to resume publication.

On January 17, the government closed indefinitely Radio Amor after it reported that its owner was beaten for broadcasting the text of a Venezuelan Government communiqué denying charges by the Nicaraguan Government that employees of the Venezuelan Embassy were involved in a plot to sabotage two industrial facilities. The government said the broadcast was an "attempt to damage friendly relations between the two countries."

On January 25, the Sandinistas announced travel restrictions to the east coast area, effectively banning all investigations of its actions in that zone. Reports indicated that the Miskito Indians had been forcibly resettled away from the border. Thousands have fled into Honduras to escape government repression. I will return to that question in a moment.

On January 28, a last-minute police intervention forced cancellation of a planned Conservative Democratic Party rally in Masatepe, Carazo, on January 31. The PCD maintains that neither prior police permission nor inspection of rally facilities are required by existing laws and that Interior Ministry intervention is a violation of fundamental political rights.

On January 31, two Polish Solidarity union leaders, in exile, were refused entry visas to Nicaragua. They had earlier met with the heads of state of Venezuela, Panama, and Costa Rica, but they were not permitted to set foot in Nicaragua.

At the end of the month, the leaders of the Private Business Council, COSEP [Consejo Superior de la Empresa Privada], were still in prison. They were accused of and tried for anti-Government activities because they have published a document critical of government policies. They were finally released in mid-February due to international pressure.

Despite the rhetoric about nonalinement—and it continues—the Sandinistas have moved even closer to the Soviet bloc in the international arena. Cuban advisers are serving in key posts throughout the government, and a total of about 6,000 are currently in the country, including about 1,800 to 2,000 military advisers. Advisers from East Germany, Bulgaria, North Korea and the U.S.S.R. are now in Nicaragua and substantial support has been given to the leftist guerrillas in El Salvador.

While proclaiming itself to be nonaligned, the government's actions speak louder than its words. For example, the Nicaraguan Government joined with the Soviet bloc in a letter to the chairman of the United Nations Human Rights Commission recently regarding Cambodia. Listen to the list of countries signing that letter: Bulgaria, Byelorussia, Cuba, Czechoslovakia, South Yemen, Ethiopia, East Germany, Hungary, Mongolia, Poland, the Ukraine, the U.S.S.R., Vietnam and Nicaragua. So much for nonalinement.

Moreover, PLO leader Yasser Arafat publicly stated last January that Palestinian guerrillas were serving as pilots in Nicaragua.

A variety of groups independent of the U.S. Government have voiced alarm about the actions of the Sandinistas. On February 17,

the Socialist International [SI] warned Sandinista leaders that it will withdraw its support if they lead the nation into a totalitarian dictatorship. A Socialist International leader from Latin America said that displeasure and disappointment over the course taken by the Sandinista revolution prevails among Socialist International leaders.

He asked the Sandinistas to honor their commitment to keep the revolution within a pluralist framework, and stated that any move toward totalitarianism and dictatorship will cause the SI to withdraw its support. He also said the great emphasis given by the Sandinistas to the support they receive from Cuba greatly concerns most Latin American leaders of the SI.

While all of the Sandinistas' repressive actions are of deep concern to us, by far the most disturbing are its barbaric attacks upon the Miskito, Sumo, and Rama Indians. Using the transparent and flimsy excuse of development plans, and an alleged desire to integrate the Miskitos into the rest of society, the Sandinistas have viciously attacked these Indian tribes, killing many Indians.

Dozens of villages have been destroyed and thousands of Indians have been uprooted and forcibly driven to other parts of the country. This appalling assault has yet to receive the attention it merits. The fate of the Miskito is important as a grave human rights problem and in addition for what it tells us about the kind of people the Sandinistas are and the kind of society they seek to build.

After initiating a variety of offensive actions against the Miskitos, including the refusal to permit instruction in local language and the imposition of Cuban instructors attempting to indoctrinate the Miskitos in Marxism-Leninism, the Sandinistas have attacked and burned many Indian villages since clashes with exile groups along the Honduran border increased in mid-December.

Eyewitness accounts from reliable sources agree that the Sandinista army attacked as many as 20 Indian settlements along the Honduran-Nicaraguan border—the Rio Cocao—and others in northeastern Nicaragua. Refugees frequently mention Leimus as the scene of heavy fighting between Indians and the Sandinista military forces. There are allegations that Sandinista soldiers buried alive badly injured Indians.

Eight Indian villages have been burned down along a 30-kilometer stretch of the Rio Cocao just since January 1. Seven villages were totally destroyed and one village was partially destroyed. Seventy structures along the border between the villages have also been burned.

Aerial attacks against civilians by Sandinista military units have also occurred during military engagements with exile groups near the towns of Sandy Bay and Prinzapolka away from the border. The Sandinista military has blocked shipments of food and medicine into the area, with the argument that this aid might be diverted to exile groups.

Several thousand Indians have been forcibly resettled in camps away from the border near the mining town of La Rosita. The Sandinistas admit to 8,500 people being resettled. Further south, in Puerto Cabezas, over 60 Indians who were suspected of collaborating with the exile groups have been held prisoner since at least late December.

As a result of the attacks and the forced resettlement, thousands of

Indians have fled to Honduras. A U.S. Embassy officer reported on January 6 that the population of the refugee camp in Mocoron had grown from 175 to 1,700 just since mid-December. By February 10 the camp contained 4,800 refugees, and the total refugee population in Honduras had reached about 7,500.

Now the Sandinistas have gone to great lengths since mid-December to restrict travel to and information about military activities on the east coast, suggesting they do have something to hide. The government first notified the U.S. Embassy in Managua in late January that travel to the east coast would not be allowed for what were called security reasons without permission of the Ministry of the Interior. Our Embassy has been unable to obtain such permission.

On December 30 they took over the independent radio station Radio Ver on the east coast. They ordered a blackout of all news from the east coast on December 30.

They suspended temporarily five new programs in early January for allegedly reporting "false information" about a Nicaraguan incursion into Honduras; and they have restricted travel between east coast villages.

I would like to call to your attention, Mr. Chairman, to what President Reagan said yesterday about this. "The Nicaraguan Government even admits the forced relocation of about 8,500 Miskito Indians, and we have clear evidence that since late 1981 many Indian communities have burned to the ground and men, women and children killed."

The Sandinistas disingenuously explained that the resettlement effort—which they claimed had long been under way—was aimed at improving living conditions for the Indians and removing them from the scene of the fighting.

The Roman Catholic Church in Nicaragua has vigorously condemned the oppression of the Indians. The communiqué of the Nicaraguan Episcopal Conference issued just recently, on February 18, stated in part:

> We wish to remind everyone that there are inalienable rights that under no circumstances can be violated and we must state, with painful surprise, that in certain concrete cases there have been grave violations of the human rights of individuals, families and entire populations of peoples.
>
> These include: relocations of individuals by military operations without warning and without conscientious dialogue; forced marches, carried out without sufficient consideration for the weak, aged, women and children; charges or accusations of collaboration with the counter-revolution against all residents of certain towns; the destruction of houses, belongings and domestic animals; the deaths of individuals in circumstances that, to our great sorrow, remind us of the drama of other peoples of the region.

Mr. Chairman, with your permission, I would like to submit the entire statement of the Bishops of Nicaragua for the record.

Senator HELMS. Without objection it will be included.

[The material referred to follows:]

COMMUNIQUE OF THE NICARAGUAN EPISCOPAL CONFERENCE ISSUED ON FEBRUARY 18, 1982, ON RECENT DEVELOPMENTS IN THE ATLANTIC COAST OF NICARAGUA

[SUBMITTED BY THE DEPARTMENT OF STATE]

The events that have occurred in the zone of the Rio Cocao, frontier with Honduras, in the Department of Zelaya, Nicaragua, since December 1981, and that have been culminated, in part, with the massive transfer of the entire Miskito population toward the interior of national territory and, on the other hand,

with the flight of a considerable number of the population of this zone into Honduran territory, have had a painful effect on all the inhabitants—Miskitos, Sumos, and Ladinos of the area.

It is well known that armed encounters occurred in these months and that in this zone these encounters resulted in the deaths of many militiamen and soldiers of the Sandinista popular army, as well as the deaths of many of its political adversaries, and also the deaths of some uninvolved civilians. As a result of these events there are dozens of detainees and almost all of the towns along the Rio Cocao have been evacuated by the army. While it is possible to explain in military terms the evacuation of these towns, nevertheless, we regret from a human and Christian point of view, the displacement of these Indian groups that have been located in this region since time immemorial.

Such displacements include the removal of the population to settlements in the interior of the Republic, as well as displacements into Honduran territory where many have fled, driven perhaps by fear or by the manner, at times drastic, with which earlier ones were transferred to the settlements in Nicaragua. As pastors for all our people we feel profoundly the sorrow provoked by the uprooting from their regions of all our brothers and we wish to send them expressions of our sorrow, our worry, our paternal love, and our pastoral concern.

Our thoughts on these events: We recognize the governing authorities right to undertake necessary measures to guarantee the defense and the integrity of the territory of the nation. We also recognize the autonomy of the state and its right to determine the implementation of emergency military measures in all or part of the national territory in order to defend the country.

Nevertheless, we wish to remind everyone that there are inalienable rights that under no circumstances can be violated and we must state, with painful surprise, that in certain rights of individuals, families, and entire populations of peoples, there include:

Relocations of individuals by military operations without warning and without conscientious dialogue;

Forced marches, carried out without sufficient consideration for the weak, aged, women, and children;

Charges or accusations of collaboration with the counter-revolution against all residents of certain towns;

The destruction of houses, belongings, and domestic animals;

The deaths of individuals in circumstances that, to our great sorrow, remind us of the drama of other peoples of the region.

Such as the facts that compel us to denounce vigorously such attitudes of those who have the power and force because they must be the first to guarantee observance of these human rights, and, we urge the competent authorities to take the necessary disciplinary measures to prevent a repetition of such events in the future.

On the other hand, we must remember that it is good to maintain the national integrity and that it is a right and historical duty of all Nicaragua to protect the nation's territorial integrity. We must also remember that it is a right and a duty to preserve the legitimate possession and use of the riches of the natural, traditional, and cultural patrimony of the indigenous people of the Atlantic coast. In these we encounter and recognize with pride, not only the ancestry of our race, but also the identity of our ancient, prehispanic nationalities.

FINAL OBSERVATION

After having expounded briefly these facts that denote a situation of disrespect to the dignity of the human person and the violation of their rights, we, as pastors, in open solidarity with the Miskitos, Sumos, and Ladinos of our Atlantic coast request of the competent authorities an objective investigation and adequate measures to promote peace and tranquility through the increase of justice in the region.

To your brothers, Miskitos, Sumos, and Ladinos, who with such love, and work during so many years have been evangelized, we encourage you in the valiant effort to conserve, cultivate and defend your christian faith and subsequent hope. For our part, as Catholic Bishops, we will do all possible in order that the task of evangelization is not halted, assuring you periodic visits of your Bishop and of your Priests, of your Deacons and your Nuns and religious workers. This Episcopal conference, in common with our brothers in the Atlantic coast, asks of faithful Catholics their prayers and generous collaboration

in the collection that will take place in all churches of the country in all the masses celebrated on Sunday, the 2nd of March, the Second Sunday of Lent. Upon decreeing this day of prayer and collaboration in benefit of our brothers of the Atlantic coast, we are conscious that in making this denouncement we are not ignoring the efforts of the government to attend those harmed in the region. Our institution, caritas Nicaragua, ought to collaborate in accordance with the wishes of the Episcopal Conference. We ask that non-ecclesiastical institutions and organizations help our brothers on the Atlantic coast. We ask the government that it offer them facilities to provide this service directly to the needy.

Finally, given the impossibility of being able to directly help those that for the same reasons are in Honduran territory, we appeal to the charity of our brothers of the Episcopal conference of Honduras and the fraternal generosity of their ecclesiastical institutions.

Under the maternal protection of Mary Immaculate in whose heart is concentrated our country we have public this message in Granada the 18th of February, 1982.

Signed by Archbishop Obando Y Bravo and all the Bishops of Nicaragua.

Mr. ABRAMS. On February 22, Freedom House issued a report on the Sandinistas' attack upon the Miskito Indians. The report describes forced mass evacuation of Indian communities, 20 villages emptied, 5 firebombed, and many Indians placed in what were called "protected" hamlets; the burial alive of 15 Indians whose names are given by eyewitnesses; imprisonment or expulsion of clergy and Indian leaders; and destruction of the Indians' economic and political as well as religious institutions.

Freedom House has appealed to human rights agencies of the United Nations and the OAS to investigate the status of the Indians in Nicaragua and the possibility of genocide.

The Sandinista Minister of the Interior justified this repression in a speech on February 21. He described the Miskito Indians as:

Victims of a backwardness that has been used by the enemies of Nicaragua. In the face of the efforts to divide Nicaragua, it is necessary to carryout measures that will unite the two regions.

Mr. Chairman, to quote the Duke of Wellington, if you believe that, you will believe anything.

The U.S. Government shall take such actions as it can to help relief agencies and the U.N. High Commissioner for Refugees to protect the Indian refugees in Honduras. These violent acts against them and their entire culture will stop only when the Sandinista behavior is brought to the attention of the world, which is one reason I am very grateful to you for this opportunity to appear here, Mr. Chairman.

We believe the Nicaraguan Government is still somewhat responsive to outside pressures from the international community and from the media in the West. It is, therefore, of the utmost importance that the oppression of Nicaragua's Indians that has thus far occurred receive the attention it deserves, in order that more repression be deterred.

Mr. Chairman, the United States greeted the new government in Nicaragua in 1979 warmly, and has provided it with roughly $125 million in aid. But the Sandinistas do not seek the kind of society which Americans would wish to support. They have another model in mind—the Marxist-Leninist model of the Cubans and the Soviets, whose bloc they have joined in the U.N., who give them military support, and whose goals they forward in Central America.

The Sandinistas have followed a policy aimed at eliminating pluralism, suppressing dissent, intimidating opponents, and grasping control of every facet of life. Their models are totalitarian, and there is no reason to suppose their goals are not.

This has already brought them, as it must, as it does in all the Communist countries which are the Sandinistas' allies, into conflict with the church. A clear indication of the society they seek is their treatment of the Miskito, Sumo, and Rama Indians, left unmolested by Somoza, now subject to massive assaults by the Sandinistas. That any individual, any group, any village should be outside their grasp is obviously unacceptable to the Sandinistas, who, ultimately, view freedom itself as their enemy.

This is a tragedy, Mr. Chairman, for it means that liberty may have been a brief moment in the history of Nicaragua as a repressive regime gave way to a more repressive, indeed Marxist-Leninist, regime on the Soviet or Cuban model of communism.

We all hope not; we all hope it is not too late. Surely world attention on the events in Nicaragua will help preserve such chances as there are for freedom in Nicaragua, and for this reason, I would again thank you for the opportunity to appear here today.

Senator HELMS. Thank you, Mr. Secretary. Your statement should appall, and I think would appall, the vast majority of Americans if they had any way to hear it. I suspect that what you have said here will be the best-kept secret on the news tonight and in the press tomorrow. I do not recall any Senators going down to Nicaragua to look into this and coming back and being followed while they are there by television crews and other media representatives.

But it is a matter of record and if it is never known by the American people, of course, they cannot make their judgment properly. But at least you have done your best to lay out the facts and I appreciate your coming here.

You mentioned the Indians fleeing into Honduras. You did not mention an episode that was reported to me by three or four different people, including two missionaries, where the Sandinistas have gone into Honduras and burned down the villages—two villages—set up by the Indians who had fled Nicaragua.

Do you have any information on that? Is that a fabricated report by the missionaries who saw the burning villages?

Mr. ABRAMS. I do not have firm information, Mr. Chairman. We have reports of this but I do not have firm information on it.

Senator HELMS. But you have had the same report that I have had?

Mr. ABRAMS. We have had those reports.

Senator HELMS. I asked you that question first as a predicate for my second. Now, Mr. Secretary, is any of this information that you gave out of thin air?

Mr. ABRAMS. No, sir.

Senator HELMS. You can document everything you have said in here?

Mr. ABRAMS. That's right.

Senator HELMS. This is the truth?

Mr. ABRAMS. It is.

Senator HELMS. Now just for the record I am going to ask you some questions that may be helpful to Senators as they read the record.

First of all, how many villages are there in the Atlantic region? It is not an irrelevant question. I want to build the record.

Mr. ABRAMS. It is over 100—somewhere between 100 and 200.

Senator HELMS. How many people live in these villages?

Mr. ABRAMS. Roughly 100,000.

Senator HELMS. 100,000. How many are Indians?

Mr. ABRAMS. Roughly 100,000 Indians.

Senator HELMS. Well, how many——

Mr. ABRAMS. 250,000 in that province.

Senator HELMS. 250,000, of whom 100,000 are Indians. Now what races are the others?

Mr. ABRAMS. It varies.

Senator HELMS. Any blacks there?

Mr. ABRAMS. There are blacks and Latins, I guess one might call them.

Senator HELMS. How many? If you do not have it, you can supply it for the record.

Mr. ABRAMS. We will supply for the record what the exact proportions are.

[The information referred to follows:]

EAST COAST INDIAN POPULATION

[SUBMITTED BY THE DEPARTMENT OF STATE]

The population of Indians in the east coast area of Nicaragua can only be estimated. There has been no accurate census since at least 1972. Estimates of the east coast Indian population vary from 60,000 to 170,000. The estimated composition of the population in the Zalaya Department is as follows:

Miskito Indians	50,000 to 60,000
Sumu Indians	7,000 to 8,000
Rama Indians	1,000
Creole (African descent)	30,000 to 40,000
Hispanic Nicaraguan	90,000 to 100,000
Others (European, Chinese, etc.)	2,000

The total population for Zalaya Department may run 190–200,000. There are probably at least 250 Indian villages in Zalaya. To the best of our knowledge, only Indians have been resettled.

Senator HELMS. Which groups have been the prime targets of the Sandinistas?

Mr. ABRAMS. The Indians.

Senator HELMS. Alone?

Mr. ABRAMS. Yes.

Senator HELMS. You have described how the villages were burned and the removal of the people, the forced marches and the killings, so I will refer Senators to read the text of your statement.

I was scribbling down some questions here. Did you specify how many villages had been evacuated in your statement, precisely?

Mr. ABRAMS. I think we said 17. The figures vary and, of course, the situation changes.

Senator HELMS. How many were burned?

Mr. ABRAMS. The figure is over 20.

Senator HELMS. Over 20, more than 20.

Mr. ABRAMS. Over 40 that have been burned. The figure that comes to my memory is 42 that have been burned.

Senator HELMS. Let's leave the record open, subject to being changed, because I want these figures to be in the record based on the best and most reliable information available.

Mr. ABRAMS. The figure we have been using is 42, but it may be that more have been burned and it may be out of date.

Senator HELMS. Now how did you get this information?

Mr. ABRAMS. There are a variety of ways. U.S. Embassy, of course, has various sources in Managua—people they talk to. The Indians themselves in Honduras are a very good source. The refugees come across and they have, in a sense, the most recent information as to what is happening, what villages they come from, what villages they walked through as they crossed into Honduras and what they saw with their own eyes.

We talked to church workers. Many of the church workers, including some American missionaries, have been driven from the area by the Sandinistas. We talked to them and we found out what they have seen in the villages they have been to and seen burned down.

Senator HELMS. If you had a magic button to push, what would you recommend? What button would you push in order to stop these incidents? What is needed? What must be done?

Mr. ABRAMS. Mr. Chairman, Nicaragua is not a country, of course, where we have the kind of diplomatic leverage that can get them to stop this. I think that what can get the Sandinistas to stop is international pressure—pressure from governments that do have good relations with them. I might say that I have, for example, sent the Freedom House report to the Ambassadors of a number of governments which have friendly relations with Nicaragua in an effort to apprise them of what is going on.

Press reports would be extremely helpful because I think what we see, we see the extraordinary lengths the Sandinistas go to, to keep this secret. They closed off that entire area of the country. They issue all sorts of misleading and false statements about what they are doing, so clearly they are very sensitive about it.

Therefore, I think the best possibility is to increase the amount of attention that is being given to it throughout the world in an effort to bring pressure on them to stop.

Senator HELMS. Solzhenitsyn once told me, sitting in my living room, he said, "Senator, you have never known oppression, and I pray to God you will never know it." He said, "Therefore, you and the rest of the American people can't understand the motivation of tyrants."

I was thinking of that as you proceeded with your statement. Now what is it about the Sandinistas and the Indians? Why are they so determined to burn these villages and kill these people and drive them away—destroy them? Why? Why?

Mr. ABRAMS. I think there are a number of reasons. The primary reason, I think, is that they have always led a life largely independent of the central government, a life which the previous regime was willing to permit them to have. They have their own village elders, their own, in a sense, style of government, their own style of economic life, and they live pretty independently of the central government.

The Sandinistas, I think, have in mind the kind of regime on the Cuban model in which nobody gets to live independently of the gov-

ernment. They want to bring everybody in that country under the direct control of the regime. They don't want any independent schools. They don't want any independent villages. They don't want any independent economic life, and so they are going to start with what is in a sense the most independent group within the country—the Indians.

I would add to that, that geography plays a part too. For example, we know that there is a lengthening of the runways at the Puerto Cabezas airport going on which we assume is for the ultimate ability to take Mig aircraft. That area of the country is the closest part of Nicaragua to Cuba and I think one of the reasons they are clearing out that area also is that they have that kind of military operation underway. They don't want any witnesses around there.

But fundamentally I think it is that the Indians have lived independently and in the kind of Marxist-Leninist regime that the Sandinistas seem bent upon, they wish to destroy that kind of independence in the government.

Senator HELMS. My 10 minutes are up. Senator Zorinsky.

Senator ZORINSKY. Thank you, Mr. Chairman.

Has the Nicaraguan Government invited international human rights organizations to visit the east coast area?

Mr. ABRAMS. Recently they have invited some people to go see their camp, La Rosita. They have a resettlement camp. They have not permitted anybody to visit freely this province and to walk through it and see with his own eyes what is going on. They have agreed to do some guided tours.

Senator ZORINSKY. I see. But do they direct the geographical path or do they just accompany the people wherever they want to go?

Mr. ABRAMS. No, they direct the path. Nobody is permitted simply to decide what his itinerary will be.

Senator ZORINSKY. I see. Are the Miskito Indians a wealthy or poor group?

Mr. ABRAMS. They are poor. They have lived by farming and fishing in various places. They are certainly not wealthy.

The thing I am trying to avoid is the notion that they are starving, which they were not, but they are certainly a poor community.

Senator ZORINSKY. I understand some leaders of that group are here in the United States and that they had a press conference a few days ago arranged by one of Washington's prestigious public relations firms. Do you have any idea where this poor group of Indians came up with the money to finance such activities?

Mr. ABRAMS. I take it that the arrangements were made by somebody else. The Indian tribes themselves, I must say, are getting poorer and poorer. For example, in La Rosita they have a lot of Indians that were fishermen. You can't do much fishing in a mining camp.

So I take it you are correct that the resources didn't come from there, but I don't know. You know, Mr. Fagoth has been in this country for a few days and I am struck by the lack of attention he has gotten by the press.

Senator ZORINSKY. Would you comment on the statement by Rev. Graham H. Rights, executive director of the Moravian Church's Board of World Mission:

Now another geopolitical upheaval. The current hostility between the governments of the United States and Nicaragua has made that same border a staging

ground for military hostilities and has made the Miskito Indians unwilling pieces in a rapidly expanding Central American war game.

Antigovernment forces, which are widely believed to have the moral and logistical support of the United States and Honduran military have recruited some Miskito in their military and political campaign against the Nicaraguan government.

Is there any truth to that statement from your observation? Have any of them been involved with the Honduran military?

Mr. ABRAMS. I do not know of any kind of military operation by Miskito Indians. The Sandinistas have used that excuse as a justification for rounding up the Indians and putting them in these camps. I should note that the Moravian Church has expressed its concern and its opposition to the action of the junta vis-a-vis the Indians, but the excuse that all of this is being done for legitimate security reasons just doesn't wash, Senator.

There are maybe 500 to 1,000 antigovernment—that is, anti-Sandinista—troops around in Central America, and the Sandinistas are building this phenomenally huge military machine several times as large as that that Somoza ever had.

Senator ZORINSKY. You mentioned the extension of runways in Nicaragua. Do you believe what the Sandinista government told Tom Enders, that they promised and pledged not to receive any Mig-23 airplanes into Nicaragua?

Mr. ABRAMS. I don't have great confidence in that pledge. If it were true that they had absolutely no intentions, then I think they would not be lengthening runways in a few places in Nicaragua.

Senator ZORINSKY. Has the administration continued aid to the private sector in Nicaragua since January 1981?

Mr. ABRAMS. We were giving small amounts of aid directly to the private sector. That does continue. It amounts to $3 million right now. It is pretty small, but it is continuing.

Senator ZORINSKY. It has been continuing since January 1981 and is currently continuing?

Mr. ABRAMS. Yes, sir.

Senator ZORINSKY. Aid to Nicaragua to the private sector?

Mr. ABRAMS. It is to the private sector.

Senator ZORINSKY. Where is the money deposited—in a bank in Nicaragua?

Mr. ABRAMS. It goes to different groups for different programs. That is, I don't know the——

Senator ZORINSKY. Do you give them cash or does it go into a bank? The banks are nationalized in Nicaragua, so, therefore, the Sandinista government does control the banks in Nicaragua.

Mr. ABRAMS. Well, I am not familiar with the financial arrangement that is made, but what we do do is give the aid to private groups so that it does not go through or get channeled through the government.

Senator ZORINSKY. I would be interested if, for the record, you could provide the path of where that money goes.

Mr. ABRAMS. Follow the checks. OK.

Senator ZORINSKY. I guess the bottom line is do we have the ability to monitor the actual receipt of our aid and that those dollars are being spent as intended.

Mr. ABRAMS. We can still do that because we know, for example, that private transfers to Nicaragua are still possible as well.

Senator ZORINSKY. It has taken me 2 years to find out from AID what happened to the last money that we gave and I am still waiting for a complete accounting.

Mr. ABRAMS. We'll try to beat that record and make it under 2 years.

[The information referred to follows:]

AGENCY FOR INTERNATIONAL DEVELOPMENT,
Washington, D.C., March 1, 1982.

HON. EDWARD ZORINSKY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ZORINSKY: In connection with your and our continuing concern regarding expenditures under our ESF program to Nicaragua. I would like to herein provide a summary of our findings and to reaffirm our commitment to continue our efforts to account for every disbursement under this loan. This same information was promised you during Secretary Elliott Abrams' appearance before the Western Hemisphere Subcommittee on February 25.

The details are as follows: Following the appropriation of these funds, AID disbursed a total of $55 million of which 60 percent (33 million) was required to be allocated for the Nicaraguan private sector. The Government of Nicaragua has thus far submitted six reports to AID attributing Nicaraguan imports under the loan through the period ending June 30, 1981. A seventh and, presumably, final report was promised by the Central Bank of Nicaragua, but has not yet been received.

The USAID Mission checked the transactions which were submitted in the reports. The Mission found expenditures of $22 million for the public sector and $16.7 million for the private sector. This meant that an additional $16.3 million in private sector transactions had to be identified. The Mission in December 1981 hired an auditing firm, Coopers and Lybrands, to check bills of lading to certify the Central Bank's findings and determine the extent of further private sector expenditures.

The auditors' preliminary report indicates that the transactions identified by the Central Bank did indeed take place as reported. The Coopers Lybrands' audit also certified an additional $3.4 million in private sector transactions. Therefore, the current private sector total that we can presently certify is $20.1 million.

To certify the remaining $12.9 million, the Mission, as a first step, received from the Nicaraguan Customs Service a computer print-out of $330 million worth of imports from the United States during the loan eligibility period. This print-out was then organized by the Central Bank to show only imports for the private sector. These imports totalled $134 million.

From this print-out thirteen of the largest privately owned firms were selected and an analysis made to determine which imports were made under the loan. According to Customs Service records, these firms imported an additional $15.9 million (above that reported by the Central Bank) under the loan. Assuming we can confirm at least $12.9 million of this $15.4 million, we will have reached the $33 million of private sector imports. The USAID Mission is presently making final arrangements for Cooper Lybrands to visit these 13 firms to confirm these imports.

In a more direct response to your request, the auditors will continue to record data on U.S. exporting companies. Work should be completed within the next three weeks. You can be sure we will share this with you, as soon as it becomes available.

If I can provide you with further information, please let me know.

Sincerely,

OTTO J. REICH,
Assistant Administrator, Designate,
Bureau for Latin America and the Caribbean.

Senator ZORINSKY. What is the rationale for the Reagan administration's provisions of aid to the private sector in Nicaragua?

Mr. ABRAMS. What we are trying to do is help preserve pluralism in Nicaragua. The Sandinistas have brought tremendous amounts of pressure to bear on the private sector. There have been some nationalizations. They very carefully control and ration credit. What we are trying to do is help the private sector maintain itself against these government pressures.

Senator ZORINSKY. You have referred to the Freedom House report that annually provides a survey of comparative measures of freedom for nations around the world. Ted Koppel posed a question to Tom Enders last night on the Nightline. He asked why we support Guatemala and El Salvador when their governments are rated more repressive than the Nicaraguan Sandinista government.

Mr. Enders responded that the Nicaraguan Government is a totalitarian government under Marxist influence and that certainly we have a more friendly relationship with Guatemala and with El Salvador. Do you concur with the assessment that Tom Enders gave last night?

Mr. ABRAMS. Essentially yes. The State Department does not make comparisons among countries on the degree of freedom the way Freedom House does. The problem with Nicaragua is, of course, where it is heading.

In El Salvador you have a government committed to heading toward democracy.

Senator ZORINSKY. But we are speaking only of human rights here. I agree with you about the direction of the Nicaraguan Government. I am concerned. I also agree that we need friends in that area, not enemies, but I am asking only about the portion of Mr. Ender's remarks in which he admitted that Guatemala's Government and El Salvador's Government were more repressive than Nicaragua's Government. Do you agree with that? He agreed to that premise.

Mr. ABRAMS. I don't think that frankly, Senator, it is a meaningful question. What we are seeing in El Salvador is a government attempting to have a free election to move toward democracy, and in Nicaragua a government attempting to destroy democracy. So it seems to me it is important not to take a snapshot but rather to say what are the governments attempting to do and what are the trends.

I just don't have a scale here.

Senator ZORINSKY. I agree that we are not interested solely in a snapshot view. Obviously the Peoples Republic of China does not have the highest shining example of human rights, and yet, I think, it is in our best interests that we attain a friendly relationship with that country as we have done in the recent past.

I think the bottom line should be—always should be—what is in the best interests of the United States of America.

Mr. ABRAMS. Senator, what we are doing with respect to these three countries is the same. That is, we are attempting to encourage them to eliminate human rights abuses and move toward democracy. That is, in a sense, the purpose of this hearing, and what we are doing in Guatemala and we are doing in El Salvador is attempting to impress the government with the importance of those moves, to eliminate human rights abuses.

We have had varying degrees of success in Nicaragua because of the nature of diplomatic relations. This kind of public pressure is probably the most effective way of going about it.

Senator ZORINSKY. It is embarrassing for me, as it is for you, I am sure, to try to explain to people who only view that segment of comparability and ask why a country such as our supports countries that may have a worse human rights record than others that we oppose.

Mr. ABRAMS. I think one should also take into account the nature of the support. For example, we don't give China military support. For that matter, we don't give the Guatemalans military assistance. We give military assistance to El Salvador, and one of the reasons we do is to try to help them get the security forces fully in hand and——

Senator ZORINSKY. We have an even closer relationship with the People's Republic of China than we do with El Salvador, but that is classified.

Thank you, Mr. Chairman. My time is up.

Senator HELMS. Senator Dodd.

Senator DODD. Thank you, Mr, Chairman.

Mr. Abrams, Senator Zorinsky has really touched on a number of points that I would have raised. Let me ask you if you are familiar with the historical relationship between the Miskito Indians and the Nicaraguan Government going back a number of years.

Would you care to share with the committee your historical analysis of the relationship between the Miskito Indians and a host of governments that have represented that country over the past 50 or 60 years?

Mr. ABRAMS. The Miskito Indians have never wanted close control by the central government and have never been particularly cooperative with the governments in Managua. This was true throughout the Somoza era and, indeed, before it.

The difference, I think, today is the previous government was more or less content to leave the Indians alone in their communities to live life as they wish.

Senator DODD. But historically there has been a lot of tension between the English-speaking areas of the Atlantic coast of Nicaragua and governments going back some time. This is not something new in terms of that kind of tense relationship. Is that correct?

Mr. ABRAMS. The tension has varied depending upon the degree to which the central government wished to impose its will on those areas and on their way of life.

Senator DODD. Wouldn't you also agree that for the most part the revolution that occurred in Nicaragua back in 1979 was pretty much of a Pacific coast phenomenon, that the Atlantic coast was really pretty much untouched and not deeply involved in the revolution?

Mr. ABRAMS. I think generally speaking that is fair, that the Somoza regime had not, to a very sensitive degree, repressed the residents in the Bluefields and other communities on the Atlantic coast.

Senator DODD. But the activity of the revolution itself was pretty much a west coast phenomenon?

Mr. ABRAMS. That's right.

Senator DODD. Third, and without holding any brief for the obvious difficulties that have occurred with La Prensa, and the private sector and the church and so forth—and you have documented those here and we don't quarrel with those at all—but how would you characterize in general the treatment of national guard forces, Somoza officials and family members and others in the immediate postrevolutionary period in Nicaragua, say, as opposed to reactions that have occurred in other countries where you have had a violent revolution?

Mr. ABRAMS. That's a difficult comparison to make. There are roughly 4,000 to 4,500 political prisoners in Nicaragua who were, for the most part, former national guardsmen who seemed to have been *jailed not for the commission* of specific acts but for the offense of having been in the national guard. So for a country that size—2 million—that is an extremely large political prisoner population.

I would, therefore, say that the record is mixed. I think one has to recall that in the immediate period after the revolution succeeded there was in effect a government that did not consist exclusively of the Sandinistas. It was a much broader base. It included, for example, Violeta Barrios Chamorro, the widow of the editor of La Prensa, and it included Alfonso Robelo, who was a Centrist Democrat, and these people have left as the Sandinistas consolidated their power.

What we are now seeing, I think, is what the Sandinistas do when no one is there to keep them under control.

Senator DODD. What I am driving at is the level of bloodshed, the executions. Granted there were some disappearances and so forth, and I am not saying it is a perfect record, but the general consensus was that the level of physical violence at the conclusion of the revolution was far less than one might have anticipated, given the nature of the revolution itself.

Is that not a fair assessment?

Mr. ABRAMS. I think that is fair, but I think it—you see, one of the interesting things that it points out is, and I think one of the reasons for that is, Nicaragua was at that point not a country divided, say 50–50, 51–49. There was wall-to-wall opposition at the end to the Somoza regime. It included almost the entire private sector and really just about included everybody.

What is striking to me is that given the fact that they had such enormously broad support, the Sandinistas have acted this way anyway. They didn't need to engage in that kind of massive suppression to consolidate support for the new regime as opposed to the old regime. Everybody supported the new regime.

Yet, nevertheless, we see this steady trend toward totalitarianism. It can't be to simply keep the regime in power against some resistance. There just isn't that much support for it.

Senator DODD. I was in Nicaragua last month and expressed, along with several other Members of Congress who were there, deep disappointment at the turn of events with regard to the press and the private sector and the church and other groups. So I am not going to defend those actions and I am as concerned as you are with what they may indicate.

I may not have given up, as some have, over the possibility of achieving a better relationship with the Government of Nicaragua, but I do agree that those are matters of concern.

You go on at some length here in identifying them and really focus on the physical treatment of the Miskito Indians. I tried to get down here and identify specifically, on pages 5 and 6, and then again on page 8 of your testimony, the specific allegations that have been raised, and Senator Helms correctly asked you whether or not in fact you could document categorically each one of these charges that you included in your testimony this morning.

I would like to ask you on what basis you have been able to corroborate the information contained in the Freedom House report. What independent sources did you use to establish the Freedom House report as correct?

Mr. ABRAMS. We had independent information that that report corroborated. I tried to give the Senator an answer.

Senator DODD. In a sense, then, you have relied on the Freedom House report?

Mr. ABRAMS. No, we had that information before the Freedom House report came out. We have been following this and we have been interviewing the refugees as they come across and talked to the U.N. High Commission for Refugees officials. We have talked to the missionaries who have been thrown out of the area, the church officials. There is also intelligence sources and intelligence sources have been pretty good too.

The combination of all of that is the way in which we have been able to. There have even been some press reports—not many—but, for example, Le Figaro in Paris had a report about 3 weeks ago. So it is a combination of all of those and the reporting of our Embassy in Managua, which also talks about that.

But, you know, we don't suggest that a village has been burned when one person says it has, but when you get missionaries who have been there and Indians who have come from there and you have intelligence information that confirms it, the information, I think, is pretty reliable. It is reliable.

Senator DODD. Well, let me ask the question that Senator Zorinsky asked before. How much of the activity, particularly the displacement of the Miskito Indians, do you attribute to the level of activity on the Honduran border? It is apparently causing the Nicaraguan Government some serious concern over incursions in their own country.

Mr. ABRAMS. Let me add, Senator, that with respect to the burning of villages we also have photos of the villages burned, after they are burning.

The government itself has admitted that there are reasons beyond that. That is, they have not relied on the notion of well, we need security along the border to explain why they have put 8,500 people in this camp in La Rosita. They have said it is an effort to integrate the Indians, who are backward people, into the new society of Nicaragua.

So they themselves don't even say that the purpose of all of this is to protect the border. There have been border incidents. There is no question about that, but our information is that there are somewhere between, as I said 500 and 1,000 armed opponents of the government in that area and it doesn't go very far to explain why you would burn down dozens of Indian villages and ship everybody out.

You know, one thinks, for example, of Cambodia. When there is a lot of violence along the border you don't have to persuade people to leave. They get out. From Guatemala, from El Salvador, there are tens of thousands of refugees in areas which are being hard fought over, but the Indians left not because of border fighting but because their villages were burned to the ground by the Sandinistas.

That, I think, is an indication that the real problem is not border fighting. It is the Sandinistas.

Senator DODD. How many of that 7,500 refugees in Honduras are Miskito Indians?

Mr. ABRAMS. Those are 7,500 Miskito Indians, and those numbers come essentially from—let me say Miskitos, Suma, and Rama. There are three tribes. Those numbers come from both our Embassy and the U.N. High Commission for Refugees.

Senator DODD. Thank you, Mr. Chairman.

Senator HELMS. I suggest we have one more 5-minute round. We have a problem now because we are going to begin to have votes again on the floor.

Mr. Secretary, I am going to file some written questions that I will not be able to get to.

First of all, Archbishop Obando y Bravo, of Nicaragua, told the Latin American Episcopal Congress in Colombia that the key positions in Nicaragua are occupied by people close to Fidel Castro and he made quite an eloquent point about the regime being totalitarian and Marxist-Leninist and so forth.

Do you have that report?

Mr. ABRAMS. I don't think I have the text of that.

Senator HELMS. Are you familiar with it?

Mr. ABRAMS. Yes.

Senator HELMS. Doesn't that have some pertinence to the human rights situation in Nicaragua?

Mr. ABRAMS. It does and as the statement, which I will submit for the record, of all the bishops of Nicaragua does bear witness to the situation.

Senator HELMS. Have you seen anything in the media about the archbishop's statement? I have not.

Mr. ABRAMS. Not to my memory.

Senator HELMS. I wonder why it is not relevant to today's dialog. I am just amazed. I lost contact with reality about balanced, objective journalism apparently. Back in my day you were supposed to seek out both sides and present them.

We are going to hear from a fine lady shortly, Andrea Young, with a summary of a factfinding mission to Nicaragua. You are aware that Ramsey Clark went down there, are you not?

Mr. ABRAMS. Yes.

Senator HELMS. You know the circumstances of his trip to Nicaragua? Was he taken there by the Sandinistas?

Mr. ABRAMS. I don't know whether he was in fact invited or whether he was in a sense a self-starter. He was guided around by the Sandinistas and I think one of the more disappointing aspects of that trip is that he did not find the opportunity either to speak with our Chargé there, Mr. Gamble, or to speak to the members of the Nicaraguan Human Rights Commission, an independent group which had criticized Somoza, which now criticizes the Sandinistas. He did not speak with them.

Senator HELMS. I believe I will end my questioning there and yield back the balance of my time.

Senator ZORINSKY. Mr. Chairman, I would like to ask unanimous consent to keep the record open for a reasonable period of time for submission of questions by Senators that may be replied to by written answer.

Senator HELMS. Very well.

Senator ZORINSKY. Is the Nicaraguan Government, in your estimation, still dedicated to the establishment of a pluralistic economic and political society as they have been claiming?

Mr. ABRAMS. No, I think the Sandinistas are dedicated to eliminating it.

Senator ZORINSKY. What is the status of the dialog between the government and the opposition parties currently? Is there a dialog?

Mr. ABRAMS. There is still a dialog. The opposition parties and, I would add, the labor unions and the church are still constantly talking to the Sandinistas, trying to limit the degree and the speed of this turn toward repression.

Senator ZORINSKY. What is COSEP's attitude, in your estimation, toward the government since the recent early release of the three COSEP leaders?

Mr. ABRAMS. I don't think that has changed the attitude of COSEP very much. That release came about after fierce international pressure from Europe and the Western Hemisphere on the Sandinistas to release those people who had committed the terrible crime of criticizing the regime, and I think it doesn't really tell you much about the Sandinistas except that they are somewhat subject to international pressure.

Senator ZORINSKY. Is La Prensa currently printing its newspaper.

Mr. ABRAMS. Yes, it is.

Senator ZORINSKY. When is the last time they were shut down?

Mr. ABRAMS. I think it was last summer. I'm sorry. There was a 2-day shutdown in January.

Senator ZORINSKY. In punishment for their voicing opposition to the Sandinistas?

Mr. ABRAMS. The same as the past occasions.

Senator ZORINSKY. Do you know what Chamorro told me? He said during Somoza's regime La Prensa was never shut down because it had to give the copy to Somoza before they could print it, and, therefore, there was never any problems. Now at least La Prensa gets a shot at the government before they get punished for 2 days by being shut down.

So I think La Prensa has had problems under both administrations.

Mr. ABRAMS. La Prensa was critical of the Somoza regime. It was probably the principal voice of opposition for many years and Somoza never shut it down.

Senator ZORINSKY. No, but he didn't have to, because he looked over what was going to be printed before it was printed.

Mr. ABRAMS. If that is true, Senator, then he permitted the expression of great amounts of criticism of his regime.

Senator ZORINSKY. To a certain point, I am not an editor but Chamorro is, and he indicated to me when I spoke with him on a couple of occasions that the Somoza regime did not shut down La Prensa because it used prior censorship. He ought to know why he was shut down or why he was not shut down and who he gave the print to before it was printed. I think he is in a better position to know than either you or I.

That is all the questions I have, Mr. Chairman.

Senator HELMS. Senator Dodd.

Senator DODD. Just to wrap up, I do not know much about Freedom House. I do not know what your assessment is. Is it your opinion they are fairly good at making assessments generally around the world on human rights?

Mr. ABRAMS. My experience with Freedom House is that they are very reliable and conscientious.

Senator DODD. Would you, if someone were to recommend an aid package to Nicaragua, putting aside their political inclinations again for a second because obviously we do not always use that as our litmus test for determining whether or not a nation gets assistance, but just on the basis of your report here this morning, would it be your recommendation that this committee, if Senator Helms were to recommend a significant aid package to Nicaragua, would it be your recommendation to oppose or to recommend against such aid to Nicaragua based on your human rights assessment of what is going on in Nicaragua?

Senator HELMS. He would stop drinking if he thought I have done that.

Senator DODD. I thought I would say you did it rather than I did it. [Laughter.]

Mr. ABRAMS. It seems to me that I would support the kind of aid program that we are doing, that is, aid that is channeled to the private sector in an effort to keep it alive.

Senator DODD. But not to the government?

Mr. ABRAMS. Not to the government. I think that is the key question more than the size of the program.

Senator DODD. I did not mean to say massive. I was being facetious. But on the basis of their human rights record you would make that recommendation?

Mr. ABRAMS. I do, because the consideration we usually have is if people are suffering from a repressive government one does not wish to punish them more. Certainly if it met the basic human needs criteria we would give it, despite the government repression.

I think that a program which was aimed at keeping pluralism alive in Nicaragua would do a lot of good and, in fact, I think our program does.

Senator DODD. Would you make the same recommendation on Argentina?

Mr. ABRAMS. Argentina, I think—I don't really know what the cutoff is right now. It strikes me that Argentina might be too rich to deserve economic aid. Argentina is not a poor country.

Senator DODD. But we are clearly on track there in terms of restoring the relationship between the two countries. How about Haiti?

Mr. ABRAMS. Well, we give economic assistance to Haiti and, again, you have laid down the policy—you and Congress—and that is as long as it is basic human needs.

Senator DODD. But I was asking for your recommendation on such a request. Obviously the human rights consideration is an important one and everyone on the committee and in Congress wants to know about the human rights situation there. What about Bolivia?

Mr. ABRAMS. Is the question whether I would recommend having an aid program?

Senator DODD. The reason I am mentioning all of these countries is because all of these countries have basically the same Freedom House

report on their human rights situation—Argentina, Chile, Bolivia, Haiti, Uruguay, El Salvador, Guatemala. If they are a reliable source of information, if they are all doing as bad as Nicaragua and if we are excluding the political consideration, how can you on the one hand oppose an aid package in the case of one country and yet recommend it in the others?

Mr. ABRAMS. There are two answers to that. One is I don't oppose it as long as it meets the basic human needs criterion and as long as it has a good political purpose. There I would again draw the distinction between, for example, El Salvador and Nicaragua because the Government of Nicaragua is heading directly toward increased repression. That is, it appears to be government policy.

I can cite you speeches by members of the junta announcing that Marxism-Leninism is their guide. It is not an intimation on my part.

Senator DODD. We are not going to use that test, I hope, because based on what Senator Zorinsky said, if that is our test we would be in an awkward situation up here if we used that in every case.

Mr. ABRAMS. But what I am suggesting is that one of the decisive factors should be whether one is supporting a government's efforts to build democracy or whether one is supporting the regime which is making every effort to destroy it.

Senator DODD. I just point out I do not suggest that it is easy, but one of the problems we have had is the degree of consistency in these questions of human rights and I think this chairman has pointed that out a number of times in the past. I make the point that in looking over the Freedom House reports on the various political rights, civil liberties, and so forth, of a number of countries, that Nicaragua roughly enjoys the same status as every one of the other countries I have mentioned—countries with whom we have either an ongoing aid relationship or one wherein we are trying to establish a relationship.

We find ourselves, I think, looking a little sloppy, quite frankly, when it comes to these questions if that is the litmus test we establish, and I conclude with you by suggesting that I get the feeling that we are building a case here for something else that is not going to come along, quite obviously, and that seems to be more the indication here than anything else.

But I appreciate your testimony this morning.

Mr. ABRAMS. Let me add one additional point. As you say, the decision to give aid is based on a number of factors. What differentiates, say, Bolivia or El Salvador or some of the other countries you mentioned from—one of the things that differentiates them from Nicaragua is that El Salvador, for example, is not engaged in trying to overthrow the government of a neighboring country.

Nicaragua, in addition to repression at home, has become part of this very significant Soviet and Cuban effort to destabilize a number of regimes, neighboring regimes. That, I think, should be factored into the foreign aid decision as well.

Senator DODD. Do you think you are going to have an election in Haiti?

Mr. ABRAMS. I am not holding my breath.

Senator DODD. How about Bolivia? How about their democracy record?

Mr. ABRAMS. Bolivia is a country which has replaced a notoriously corrupt and brutal regime with a regime which is a lot better and which is making efforts to get control, first of all, of the military involvement in the drug trade. Some of the worst people involved in that drug trade have been removed from power and, you know, I am not going to tell you that democracy has come to Bolivia, but we have a government—a new government—in Bolivia which is, for the first time in a number of years, taking serious action to try to reform the government and end some of the worst abuses.

Senator DODD. Argentine elections coming up?

Mr. ABRAMS. What stands in the way of a return to democracy in Argentina is, of course, the question of the disappeared, but I would note there has been a tremendous amount of progress in Argentina with respect to human rights, including a reduction from roughly 8,000 to 800 political prisoners and a return to not an entirely free press but a tremendous amount of free discussion in the press and in the political parties.

Argentina has made a great deal of political progress.

Senator DODD. There have been several people in the administration who have testified recently who have made the same mistake. With regard to the promise by the Sandinistas of elections and, by the way, again, all of us who have been down there have pressed that elections ought to occur sooner rather than later, but it is a matter of historical fact that the Sandinistas never made a commitment to immediate elections upon assumption of power.

Many of us would have liked them to, but the indication, after promising, quoting on your page 1, after promising elections the government announced soon after that elections would be postponed until 1985, indicating that they had promised an earlier date of elections, which is totally incorrect. I wish it were otherwise. I wish your statement were correct, but they never made a commitment to immediate elections.

I would hope they would occur before 1985, but it is incorrect to suggest that they made a commitment they would occur earlier than that.

Mr. ABRAMS. They did promise free elections, and with the present situation in Nicaragua it is extremely doubtful whether that will ever occur.

Senator DODD. But they did not establish any date. Regrettably they did not, but they never established a date.

Senator ZORINSKY. Mr. Chairman, I just have one brief question. I am becoming very confused. I have had several members of the administration inform me Nicaragua was beyond saving; it was already a committed Marxist government. Those administration officials say it has gone Communist and we just have to make sure that does not happen in El Salvador, but there is no hope of saving Nicaragua.

Now today Mr. Abrams has informed me that we are continuing to give aid to the private sector in Nicaragua and obviously that must mean there are still some businesses in private hands and they have not been nationalized.

Which is it? Is there still a nucleus there that could be an embryo for bringing Nicaragua back to more of a democratic government or

are we writing them off? You know, I have had conflicting messages from the same administration. Some say bye-bye, it is too late; others say well, there is something there that may change things.

Mr. ABRAMS. I think, Senator, one should draw the distinction, or I would, between the Sandinistas and Nicaragua. I think it is clear who the Sandinistas are now and what their goals are. It is also clear that those goals are not shared by the people of Nicaragua or there would be free elections. The fact that there aren't is the giveaway

Senator ZORINSKY. But there are private businesses?

Mr. ABRAMS. There are. There is still an independent trade union movement. There is still the church. Therefore, the question is not—I think it could be posed not what the Sandinistas want but whether in fact they are going to get everything they want.

Senator HELMS. If the Senator will yield, my understanding is that AID defines the private sector in Nicaragua as any entity of which the government owns less than 50 percent. Is that correct?

Mr. ABRAMS. That's right.

Senator HELMS. So the government can own 49.9 percent of an enterprise and it would be a private sector company. Is that correct?

Mr. ABRAMS. That's right.

Senator ZORINSKY. Then of our money 51 percent is going to the private sector and 49 percent is going to the Nicaraguan Government?

Mr. ABRAMS. No, we do not give any of this private sector assistance to any entity that is controlled by the Sandinistas, and one of the things we look at——

Senator ZORINSKY. Well, 51 percent is control, but still 49 percent of it would be government controlled.

Mr. ABRAMS. What we look at is in fact who is in control and if it is the Sandinistas who have taken control of the entity, then we do not give them money.

Senator ZORINSKY. It is quite obvious as to why I am confused when you play those types of number games. I found out there are three types of lies up here—a real lie, a damn lie, and statistics. If you are going to start talking about 59 and 41 percent——

Mr. ABRAMS. Our question is who is in fact in control of the business or entity. If it is the Sandinistas they don't get assistance and if it is not the Sandinistas but rather the people who used to own it and still have a majority interest, then they are eligible for assistance.

Senator DODD. Not like Chrysler.

Senator HELMS. On that note we will thank you, Mr. Secretary. We have a vote on, but let me invite the panel to come forward and we will go vote and come back.

The subcommittee welcomes today four public witnesses: Ms. Andrea Young, Dr. Frank Bendana, Dr. William LeoGrande, and Mr. Bruce McColm.

The Chair would point out that one witness who was scheduled to be here, Sister Kenneth of the Order of St. Agnes of Fond du Lac., Wis., was invited but unable to appear. Sister Kenneth has worked for 29 years among the Miskito tribe of eastern Nicaragua and with two other nuns and two priests was recently expelled by the Sandinistas for what the Sandinistas called "a rather unevangelical and unchristian attitude of promoting hatred for the revolution."

Now I think the Chair should note that we have a great deal of division in the churches of this country about the Central American thing, as there is in Nicaragua. The Sandinistas, whose government contains several priests, expelled several missionaries because of political differences. So we will get into that when I get back.

Before I leave, at this point, without objection I would like to insert an article from the Wanderer which has to do with how the churches feel about the various aspects of Latin America. This article contains an enlightened statement by the Bishops of the Connecticut Catholic Conference entitled "Statement of the Communist Doctrine of Marxist-Leninism," and should be interest to those who follow religious opinions on these subjects.

[The article referred to follows:]

[From the Wanderer, Feb. 24, 1982]

THE MORAL OBLIGATIONS TO FIGHT THE MENACE OF COMMUNISM

[Editor's Note: In a "Statement on the Communist Doctrine of Marxism-Leninism" released on Feb. 11th, the five Bishops of the Connecticut Catholic Conference outlined the failure of Communism to keep its promises and declared that "we must not permit the malignant doctrine of Marxism-Leninism to spread any further in the world or to take root here in the United States."]

A. INTRODUCTION

Russia, Armenia, Byelorussia, Georgia, Ukraine, Turkestan, Mongolia, Estonia, Latvia, Lithuania, Albania, Bulgaria, Croatia, Slovenia, Yugoslavia, Poland, Romania, Czechoslovakia, North Korea, Hungary, East Germany, Mainland China, Tibet, North Vietnam, Cuba, Cambodia, South Vietnam, Laos, Afghanistan. These are but some of the countries that have fallen to Communism within our lifetime.

As our world approaches the end of its second Christian millennium, one significant feature becomes apparent: A large number of nations and people now live under a Communist form of government.

Only our very old remember a time when there was no Communist state in the world. Most people today have known this political system as a fact of history during their lifetime. Unfortunately, it appears that some have become so accustomed to it that they tend to view it as just another political system, fraught, perhaps, with no more danger than there is in democracy or monarchy. Is it that Marxism-Leninism has become so commonplace that we have become inured to it? Or is it possible that this system has changed so that it has lost its objectionable features? Has there been any indication of a softening of its opposition to religion? Now, after more than two generations of Communism, are human rights safeguarded? Have the original promises it made to the poor and to workers been kept?

It is timely and fitting that we take a fresh look at Communism as it exists in our contemporary world. This is the purpose of this statement.

B. COMMUNISM TODAY

The fair-minded person must compare the promises of Communism with its record of achievements. It has not met its promises, and it has resulted in the deprivation of human rights for millions of people.

As of 1981, the world has before it a clear history of 64 years of documented Communist terror: the fomenting of unrest, crises, conflict, and aggression; deceit; lies; oppression; the detention of innocent people in jails and mental institutions; murder; discrimination against non-Communists; the cruel suppression of governments; the unjust confiscation of property; the pitting of children against parents, encouraging one to inform on the other; the separation of families; the suppression of monasteries and convents; the closing of churches and Church-related schools; the execution of bishops, priests, Brothers, nuns, and countless others; and the enslavement of millions.

The promoters of Marxism-Leninism are confident in their belief that Communism will eventually dominate the entire world and deadly serious in their efforts to bring about the burial of the free world.

In view of its proven record, Communism now actively threatens the existence of all religions and of all places of worship in the world. In fact, there is not a single country in which the Communists have come into power that they have not sought to destroy religion.

Knowing that religion in any form would be in opposition to his creed, Vladimir Lenin, the "god" of the Union of Soviet Socialist Republics, developed a catechism of hatred against all religious beliefs:

Lenin taught hatred of God: "All religious ideas . . . are an unspeakable abomination";

Lenin taught revolt against religion: "We must combat religion; this is the ABC of all materialism and consequently of Marxism." Also, "the Marxist must be a materialist . . . an enemy of religion";

Lenin insisted on atheistic propaganda: "Militant materialism should carry on untiring atheistic propaganda and struggle." Further, he said, "It is essential to give the masses the greatest variety of atheistic propaganda material."

The effectiveness of Lenin as a teacher is evident in the fact that today the international Communist movement is stronger than ever, although its activities are more covert than overt. All of us are subject to its insidious propaganda: broad enough to catch the many, ingratiating enough to trap those who think only of themselves, and righteous enough to enlist some idealists. Indeed, even some clergy and Religious have been duped into advocating Marxism. They forget, or choose not to realize, that Christianity—which they espouse—and Marxism are antithetical: one cannot at the same time believe in God and deny Him.

C. THE INHERENT EVIL OF COMMUNISM

Developed over 100 years ago by Karl Marx, Communism was formulated to combat what was seen as another evil: the uneven distribution of wealth in the world.

Marx developed some principles which, thought attractive, were not rooted in a realistic view of human nature. "From each according to ability; to each according to his need," was the major tenet which advocated that everyone must work according to his ability, and yet everyone should receive this world's goods only according to his need. Also, no one is to have servants as it is contrary to human dignity to have human beings serving other human beings.

Each of these ideas has a Christian counterpart. Christ came "to bring good news to the poor, to proclaim liberty to captives and to set the downtrodden free" (*Luke* 4:18). St. Paul admonished the early Christians that those who shirked work should not eat. On the other hand, our Lord said we should help our needy brothers and sisters. Jesus said that He came into the world "not to be served but to serve" (*Mark* 10:45).

Marx's claim that all men are equal did not take into account another truth which is also a fundamental Christian teaching, namely, that original sin exists in this world. All men come into this world tainted with a tendency towards evil and selfishness. They are prone to sloth, covetousness, pride, anger, envy, lust, and gluttony. This oversight led to drastic consequences when Marxist theory was applied to real-life situations. The industrious, the able, and productive found themselves enslaved to the indolent, the incompetent, and the nonproductive. Incentive died. Charity became forced and mandatory, therefore contradicting its very nature.

Marx taught that all property should be held in common, and that all people should work together for the common good. After the Bolsheviks seized power under Lenin in the Russian revolution of 1917, they tried to put the teachings of Karl Marx into practice. Farms were taken away from individuals and all the land was collectivized. The entire local population was required to work together on the *kolhosp*, or communal farm. Results were tragic. Rational and energetic people refused to be turned into robots. Lazy people remained lazy; drunkards continued to drink too much. Some people always tried to get more food than their share or needs warranted. Energetic workers became disaffected when they saw that their neighbors avoided work and ate just the same. Machinery, belonging to no individual, was not cared for properly. The result was confusion, hunger, and disaster.

The party leaders then appointed various kinds of lesser bureaucrats to take responsibilities for work, supplies, production, quotas, etc. Everything became centered in party headquarters. People who knew nothing about industry or agriculture were made chiefs of these bureaus. All of Russia gradually slipped into chaos. Some regions could get only potatoes; others only cabbage. Some farms got tractors but no gasoline. Machinery broke down and no spare parts were available.

While Marx admitted that religious, social, and political ideas have some value in shaping history, he insisted that everything is conditioned by economic motives. He taught that religion was "the opium of the people." He said: "The abolition of religion as the illusory happiness of people is required for their real happiness." Lenin confirmed this view: "Communism will never succeed until the myth of God is removed from the minds of men." He said that when people are promised "pie in the sky" they will not work to make justice reign on earth. However, to make justice reign on Russian earth, the most horrible injustices were perpetrated. Although the Soviet constitution states that people are to have freedom of religion, only atheists have the right to propagandize others. Teaching religion to the young was considered "anti-state activity." People denounced neighbors whom they hated, as being guilty of teaching religion. Those who were denounced were exiled to Siberia for slave labor in mines or forests. While some church buildings were made into storehouses, or stables, or movie houses and party meeting halls, other beautiful old churches by the thousands were destroyed If people continued to attend the few remaining churches, their children were denied the opportunity to pursue a secondary education.

So there developed a Communist dictatorship as it exists today, with secret police, slave camps, and irreligious bias: a complete denial of everything that Marx wanted to accomplish to achieve human dignity. Equal rights and social justice were destroyed. Religion was crushed.

To erect a facade of freedom, the Soviet citizens have elections in which everyone is allowed to vote, but only for the one slate of Communist candidates. The state carries on an electioneering sham every year. A citizen is free to vote for the party candidate, or not to vote at all. To encourage presence at the polls to play out the charade on the Soviet stage, the secret police watch and make lists of those who do not vote. These will eventually lose their jobs or be sent in a hard labor force on the next shipment of recruits for Siberian development.

Marx said that when Communists talk democracy, they need not mean by it what the decadent Western nations mean. He says equivalently: "Keep on signing all kinds of treaties with the West; you do not have to keep them." You may lie as there are no moral restrictions for Communists.

And, remarkably enough, the Soviets have never forsaken any of this theory. They signed treaties, but have broken them at will. They talk of freedom but ruthlessly kill people as soon as they try to be free. This was seen when Soviet troops invaded Czechoslovakia and Hungary and stamped out their freedom movements. The latest and most visible victim of the Communist plan to conquer the world is Afghanistan. The future of Poland hangs in jeopardy.

The most telling sign of the inefficacy of Communism is the wall dividing East and West Berlin. This "iron curtain," an *actual* wall to keep people *inside* a prison, stands, ironically, as a cold, deadly symbol in mute testimony of the failure of Communism. How beneficial it would be if all people in the United States and especially in its government, were to read *Das Kapital*, keeping the lessons learned from the history of Communism uppermost in their minds.

However, the most corrupting aspect of Communism is that it holds an inherent fascination, especially for the idealistic. Marx, realizing this, said words like "freedom" and "brotherhood" should be employed because sentimental, decadent democracies love to hear such terms. The appeal is evident on a more innocent level in the small communal groups which exist in the United States: young people, who live together in communes and try to share lodging, food, and work. Most participants take part in this life-style for a few years at most. After awhile, the inborn instinct for owning even a little property and the desire to "do one's own thing" cause most members to leave. Christian communal living succeeds only because of God's grace, constant prayer, the clear delineation of personal and community rights in the order's Religious rule, and in the regular frequentation of the sacraments. Admittedly, only a fraction of mankind can live a common life successfully, and then only because of a special call from God.

D. PAPAL TEACHING CONCERNING MARXISM-COMMUNISM

Since Marxism became an open threat to the Church during the Pontificate of Pius IX, no fewer than six Popes have denounced it along with socialism, Communism, Bolshevism, and secular humanism.

In his encyclical, *Quadragesimo Anno*, Pope Pius XI said: "Whether (Marxist) socialism is considered as a doctrine or a historical fact, or as a movement, if it really remains socialism it cannot be brought into harmony with the dogmas of the Catholic Church . . . the reason being that it conceives human society in a way utterly alien to Christian truth.

"Let us bear in mind that liberalism is the parent of this socialism that is pervading morals and culture and that its offspring will be Bolshevism. No one can be at the same time a good Catholic and a true socialist."

Even more to the point, in his encyclical, *Divini Redemptoris*, Pope Pius XI warned: "See to it, venerable brethren, that the faithful do not allow themselves to be deceived. Communism is intrinsically wrong, and no one who would save Christian civilization may collaborate with it in any undertaking whatsoever."

Pope Paul VI, speaking on the 75th anniversary of the famed social encyclical, *Rerum Novarum*, condemned atheistic Marxism as a "form of blindness which man and society must pay for in the end with the most serious consequence."

"It is impossible for the Church," he stated, "to support social, ideological, and political movements originating in, and strengthened by, Marxism, that has a false conception of man, history, and the world. . . ."

E. CONCLUSION

We must not permit the malignant doctrine of Marxism-Leninism to spread any further in the world or to take root here in the United States.

In light of both man's weaknesses and his aspirations, it is obvious that Communism cannot be viable or efficacious. It can be called "successful" only by the most naive—who choose to overlook its use of force and fear to spread its doctrines—or worse, by those "masters of deceit" who knowingly seek to promote, by use of "Aesopian language," its doctrine of enslavement.

All people who believe in God have a moral obligation to not only not tolerate Communist incursion but to actively fight this menace which threatens to take from us that which we hold most precious: our own human dignity and God.

This we cannot and must not permit to happen.

Signed: Most Rev. John F. Whealon, Archbishop of Hartford; Most Rev. Walter W. Curtis, Bishop of Bridgeport; Most Rev. Daniel P. Reilly, Bishop of Norwich; Most Rev. Basil H. Losten, Bishop, Ukrainian Catholic Diocese of Stamford; Most Rev. John F. Hackett, Auxiliary Bishop of Hartford.

Senator HELMS. The committee will stand in recess until we go vote.

[A brief recess was taken.]

Senator HELMS. The subcommittee will come to order. We welcome each member of the panel. We are going to have a series of rollcall votes in the Senate which are unavoidable. For that reason the Chair would respectfully suggest that each member of the panel summarize his or her statement, that will be helpful to us. Your complete statement will be printed in the record. I apologize for having to impose that limitation, but it is the best we can do. We will start with Ms. Young.

STATEMENT OF ANDREA I. YOUNG, ATTORNEY, ATLANTA, GA.

Ms. YOUNG. Thank you. My name is Andrea Young. I am an attorney in Atlanta, Ga. For the past 2½ years I have practiced law in the Southeast, primarily defending poor people in death penalty cases in the States of Georgia, Florida, Louisiana, and Mississippi.

The death penalty is a human rights issue for me. As an attorney in the death penalty area, I have spent a great bit of time in the rural

parts of the Southeastern United States, including many of our jails and prisons in that area.

On February 7 I went to Nicaragua on a factfinding mission put together by Ramsey Clark and was there from February 7 to the 13th. Central America had not prior to that time been a major interest or involvement of mine, so in many ways my testimony is that of a lay person, and I am just reporting what I saw when I was there.

I was taken to the Miskito relocation camp outside of Rosita in the northeastern part of Nicaragua near the Atlantic coast. I was flown there by the Sandinista government. A public relations person, Roberto Sanchez, from the Army of Nicaragua, accompanied us in a Department of the Interior helicopter.

I would like to describe the landing of the helicopter because I think it is important that in the context of talking about an army in this region of the country that is allegedly massacring people, that the reaction of the residents to the landing of what was clearly a government helicopter somewhat contradicts the statements of massacring of people in that area.

When the helicopter landed, children and adults from the Rosita community literally ran toward the helicopter, surrounded people of the army, who were armed, and were by all appearances very happy and pleased and felt very safe and comfortable with that number of armed people in the area.

We went to the Miskito relocation camp outside of Rosita. The camp is by no means a paradise. I am personally very much opposed to the relocation if indigenous people or any other kind of people against their will. I do not think that you can in any way say that these camps are voluntarily filled up by the Miskito people, but that they are being persuaded by whatever means to move there from their homes along the Rio Coco.

But it was not a concentration camp. It was not an area where people were restrained. It was not an area where people were depressed. It was not an area where people were kept from sort of normal activity. It was very busy. There was quite a lot of activity by the people of the camp, building and improving their own homes. There were schools for the children. There were clinics with medical care. We saw people being treated by physicians.

There was seemingly a great deal of movement, certainly around the camp and some in and out of the camp. It was not guarded. The entrance was free. The boundaries of the camp were not apparent from within the camp. There were individual tent-like housing one after another in rows, and as I said, a school for the children.

I think that when you are talking about people that are being forcibly moved and intimidated by a government, that the attitude of children, and particularly the attitude of children to strangers, can often be an indication of their feelings of fear and intimidation.

The children, again, were simply not repressed children. They sang; they were very excited about people being there. The CBS TV cameras accompanied us and the children would flock and try to get in front of the cameras and smile for the cameras and they would talk to strangers and respond to people trying to talk to them and come close to them without any problem.

I was very impressed with the commitment of the people of the Sandinista government to making this camp a livable place and to providing a real community for the Miskito people in their new homes.

We were given a briefing by what is called INNICA, which I think is Nicaraguan Institute for the Development of the Atlantic Coast. They showed us blueprints, soil analysis testing, designs for the community, designs for individual homes within the community. And I was simply very impressed with the commitment certainly of those individuals to doing the best they could under a very difficult situation.

We were told that the reason for moving the Miskitos was twofold: that they were concerned for the subsistence existence that they had on the Rio Coco, that the Rio Coco was inaccessible a great many times during the year, that it was not possible to provide permanent open communication lines and transportation lines to that region; and that also there was a security problem, that there were incursions from the Honduran border, that the Miskitos were vulnerable to attacks from anti-Sandinista forces, the old Somosistas, from Honduras. And for those two reasons, they were acting on their belief that relocation was the best solution in a very difficult circumstance.

We were told by one Miskito spokesperson that his brother had been killed in incursions from Honduras, that he did know that there had been a great many problems. He said that they had asked the government to do something about their situation.

There were other people that expressed that they had not wanted to move, that they were reluctant. But there was no evidence of a people that felt themselves physically in danger from the Sandinista government.

Senator HELMS. Thank you very much. Your entire statement will be printed in the record. I will point out that the lights will indicate—when the yellow light comes on that means you have 1 minute and the red light, I would say to the three remaining witnesses, indicates the time is up.

Ms. YOUNG. I would like to say about my statement, it was not written in preparation for this hearing but is simply my own notes to myself for the most part, upon returning from Nicaragua.

[Ms. Young's prepared statement follows:]

PREPARED STATEMENT OF ANDREA I. YOUNG—FACT FINDING MISSION TO NICARAGUA WITH RAMSEY CLARK

INTRODUCTION

Ramsey Clark, former Attorney General, assembled a varied group of North Americans, each with an interest in human rights and Latin America for a fact-finding tour of Nicaragua. The delegation arrived in Managua, the capital, February 7, 1982 for meetings with government officials, media, and political opposition and tours of the country.

The Nicaraguan Government of Reconstruction is a product of the armed struggle conducted by the Sandinista Liberation Front (FSLN) against the regime of Anastasia Somoza. Nicaragua has come under attack by the Reagan administration for allegedly supporting leftist movements elsewhere in Central America, especially El Salvador. The U.S. State Department also claims that Nicaragua is guilty of human rights violations within its borders. U.S. Secretary of State Alexander Haig has threatened Nicaragua with reprisals that include U.S. intervention.

The purpose of Clark's delegation was to provide an alternate source of information about Nicaragua for the people of the United States. The country we saw was quite different from the image painted by the Reagan Administration.

SANDINO

Present Nicaragua is very much a product of the history of the United States relationship with that country.

The national hero, Augusto Cesar Sandino, for whom the ruling Sandinista party was named, fought a guerrilla war for 7 years in protest against U.S. domination of his country.

In 1927 the beginnings of a Nicaraguan civil war erupted when a government was established in violation of the Nicaraguan Constitution. Sacasa, the constitutional president went to war against an illegitimate regime the United States supported with U.S. Marines. Sandino, then a working man, formed a unit and fought on the side of Sacasa. When Sacasa capitulated, Sandino refused to relinquish the struggle for the integrity of Nicaragua.

Sandino, with a band of peasants vowed to fight until the Marines left Nicaraguan soil. True to his word, his movement continued for 7 years.

When the Marines left Nicaragua, Sandino, a man of honor, surrendered his weapons and made peace. His honor was rewarded by his assassination by the order of Anastasio Somoza, commander of the Marine trained National Guard. Somoza and later his son ruled Nicaragua for about 50 years.

The present Sandinista government represents a force which finally avenged Sandino by overthrowing the repressive Somoza regime.

ATLANTIC COAST INDIANS

Jeanne Kirkpatrick, Reagan's Ambassador to the United Nations, stated on national television that the Government of Nicaragua was putting Miskito Indians of the Atlantic coast into concentration camps, that many had been killed and harassed by the army. This harassment allegedly involved a population of 250,000.

The delegation was given a thorough briefing on the issue of the Miskito Indians by the Nicaraguan Government. Friday, February 9, 1982, Roger Wilkins and I visited a temporary relocation camp established for the Miskito people near the mining town of Rosito.

We were greeted by the administrator of the camp and the elected leader of the camp's residents. In the Miskito language he welcomed us. Interviews with the camp's residents confirmed what the government had told us. These people had lived along the river which is the border between Honduras and Nicaragua. Loyalists of the old Somoza regime (Somosistas) wage war along the border, attacking Army patrols and members of the Miskito population, then retreating into Honduras. One man reported that his brother had been killed by one of these "counter-revolutionary bands." The people were afraid, they could not cultivate their crops in safety. As a solution the government relocated them south from the border.

The relocation camp was named by the residents Tasba-Pry, which means "free land" in the Miskito language. The camp contained a clinic, staffed with a fourth year pharmacy student, a physician and two nurses; a supply center for perishables like milk and vegetables; a militia from the town of Rosita; an office; and a school for the 300 children in the camp. At the school, the children greeted us with a religious song sung in Spanish and Miskito.

Prior to visiting the relocation camp, Julio Rohas, the Vice Minister of the Interior for the Atlantic Coast briefed us on the plans for the Miskito Indians that had lived along the Honduran border. (The relocation effort affects 15,000 of the estimated 70,000–100,000 Miskitos living in Nicaragua.) Specialists from the Nicaraguan Institute for Development of the Atlantic Coast (INNICA) briefed us on the economic, physical and cultural factors in the relocation effort.

The Miskito were subsistence farmers living along the Rio Coco border with Honduras. The conditions under which they lived included periodic flooding, marginal land and physical isolation. The Reconstruction Government was unable to provide services under such conditions and was equally unable to protect the people from border attacks.

The decision to move these people include plans for commuters with access to social services and infra-structure for communication and transportation. Communities were located in areas that could support the same crops that were traditional in Miskito culture. Soil analysis and comparisons indicate that the soil is more fertile in the new areas and the terrain will make hog-raising and cattle raising also feasible.

The pre-fab housing was designed using the traditional housing of the Miskitos as a guide. The architect showed us blueprints for the individual home plots and the community design.

The briefing was comprehensive, demonstrating a sensitivity to the issue of relocation and a deep concern for the welfare of the Miskito people. The relocation community will plant crops in May for harvest in September. By the second harvest in December of 1983 they expect to be self-sufficient in the production of essential foods.

Relocation is seldom, if ever, done for the benefit of the persons relocated. The Miskito Indians are without question the victims of someone else's fight. Nevertheless, given that the government has decided to relocate the Miskitos, the effort is being conducted with a deep concern for the culture, welfare and future material prosperity of the Miskito Indians.

NICARAGUAN MILITARY

United States foreign policy chiefs have expressed concern over what they deem the militarization of Nicaragua. With Ramsey Clark and others from the delegation I visited several military installations near the Honduran border in the West on February 9.

We were taken to a military training camp at Ocotal in the Northwest. The Nicaraguan Army includes Militia and Border Patrol. At Ocotal, community Militia were being trained along with the experienced Border Patrol. The Militia consists of men and women who are given basic training for a couple months and then return to their communities with their weapons. The government believes it is necessary for the people of Nicaragua to be equipped to "defend the revolution."

The Border Patrol defends the border with Honduras. Discussion with members of the Border Patrol confirmed government reports of sympathizers of the former regime attacking government soldiers within Nicaragua. It is believed that these "counter-revolutionary bands" have camps along the border in Honduras. We were taken to a spartan outpost a few kilometers from the border and given a demonstration of the procedure in case of attack. In military jeeps we drove along the winding dirt road that parallels the border with Honduras, as ambush sites were pointed out to us.

We were free to talk with any of the soldiers. CBS accompanied us and was allowed to film whatever they wished.

It is clear that Nicaragua is geared for defense of their revolution. They believe the revolution is being threatened by supporters of the former regime, located in camps in Honduras as well as government buildings in Washington, D.C.

ON SITE TOURS

Leon.—The first full day in Nicaragua the delegation was taken to the old city of Leon, the first city to be liberated in the Revolution. Outside of Leon is a housing development to provide decent housing for 550 families. We were shown a preparatory school for working class and poor secondary students and a university for the health sciences.

Near Leon is a camp for Salvadoran refugees. The camp housed up to 400 persons in wooden barracks with many families living in individual family tents. Cooking was done communally, children in the camp attended a nearby elementary school, persons in the camp were allowed to work and move from the camp if they found other means of support.

Prison at Tipitapa.—The Prison at Tipitapa houses war prisoners convicted and given sentences of 10 to 30 years. Nicaragua does not have a death penalty. Among the prisoners is a man who had tortured Tomas Borge, the Minister of Interior and the only living founder of the FSLN.

We were given a tour of the prison and allowed to speak with whomever we chose. The prison was being expanded with much of the work done by the prisoners. There was a shop for making matresses, carpentry, metal works and electronics with plans for expansion. Among the items produced by the carpentry shop were play tables for day care centers.

This tour was not scheduled and we were not expected until a few minutes before our arrival.

Cuidad Sandino.—On the outskirts of Managua is a community of 60,000 people—Ciudad Sandino. These people were from a community that had been along the Lake of Managua. When the lake flooded they were moved to the present site without water or sewage services, with no market and little transportation.

The Reconstruction Government has built a Plaza with a community center and street lights, a market place populated with individual shopkeepers selling

food, drygoods and an open air cafe. They have piped in water at communal locations within the community.

The Maryknoll nuns have worked in this community since the days of Somoza. In their modest compound within Ciudad Sandino the delegation had lunch with the nuns and Tomas Borge, Minister of the Interior and Samuel Santos, Mayor of Managua.

MEETINGS

Top officials in the Government of Reconstruction in Nicaragua took time to talk with the delegation. There was a formal meeting with Dr. Sergio Ramirez and of the ruling Junta. Later the same day the Coordinator of the Junta, Daniel Ortega paid a less formal visit at a reception. Both expressed concern that the right of self-determination for their country was being threatened. The Junta's primary goal is the welfare of the people of their country. They want the wealth of Nicaragua to employ, feed, clothe, educate, house and otherwise provide for the essential welfare of the people. They ask to be allowed to rebuild Nicaragua in peace.

During the trip the delegation met most of the ministers of the government. We also met with the various newspapers, the political opposition, the independent commissioner of Human Rights, religious leaders and North Americans living in Nicaragua.

Senator HELMS. We would be glad for you to prepare any additional remarks and submit them, and they will be included. Thank you very much.

Ms. YOUNG. Thank you.

Senator HELMS. Suppose we start on this end. Mr. McColm.

STATEMENT OF BRUCE McCOLM, FREEDOM HOUSE, NEW YORK, N.Y.

Mr. MCCOLM. Mr. Chairman, before I begin I would like to request that the Freedom House report on the indigenous people be included in the record, as well as the latest update that I have that documents 46 villages that had been burned in January and February. This document was prepared and approved unanimously by the Council of Elders of the Miskitos. Half the leadership presently is inside Nicaragua; half is in Honduras.

This is not the work of a single person. It is the work of an entire community, and it is fairly detailed.

Let me introduce myself. I am the director of the Caribbean Basin program for Freedom House. I am the author of the report on the indigenous people. In the report we concentrate mostly on the Miskito Indians, which is a group of about 63,000 to 100,000 inhabitants of the coastal area north of Bluefields.

Freedom House is celebrating its 41st year as a nonpartisan, nonprofit, nongovernmental institution. We monitor the status of political rights and civil liberties around the world. In addition to our annual survey of freedom, we are concerned with specific abuses of human rights, both by governments of the right and left.

A report on the Miskito Indians coincidentally was released at the same time as our reports on new abuses of human rights in Chile.

Our concern for the Miskito Indians dates back to last April when sources of mine in the Nicaraguan Government alerted me to Managua's policy toward the Atlantic coast. At that time over 20,000 Indians in Waspam, Minerales, and Puerto Cabezas near the Honduran border were demonstrating in the streets protesting the arrest of their leaders, which included Stedman Fagoth Mueller.

Since then, I have maintained regular contact with the democratic parties in Nicaragua, labor union leaders, government officials from

neighboring countries, the religious people who have returned from the coast, as well as middle-level Nicaraguan officials. I have also had the pleasure in Honduras of interviewing several Miskito Indians.

Shortly after Christmas, on December 27, Freedom House received word from Honduras that forces of the Nicaraguan junta were involved in attacks on Indian villages along the Rio Cocao. What began as a simple interest of mine became something larger during the month-long visit in January through Costa Rica and Honduras, where I learned the scale of this government operation that is indeed awesome. The Nicaraguan Government has claimed it is the largest military operation since the revolution. It could probably be considered the single largest abuse of human rights in our hemisphere in recent memory.

From three documents approved by the Misurasata's Council of Elders, which is the 256 communities—Mr. Abrams was wrong on this; there are 256 Indian communities—it is apparent that as of November 1981, Managua embarked on a policy that has resulted in between 10,000 nd 20,000 Miskito Indians being forcably removed from their traditional lands to government camps in the interior. Another 1,000 Indians or more have been incarcerated. Hospitals and high schools on the coast have been reported converted into makeshift jails. Another 10,000 Miskitos have fled to Honduras to join the 3,000 officially designated refugees at the time of our report. There was another unofficial refugees that were not being serviced by relief organizations, that had fled to Honduras the previous summer.

The 40 Indian communities in the area near the Honduran border and down to the Rio Prinzapolka River, which is fairly far down the coast, which were moved, constitute a population of approximately 35,000 people, or one-half to one-third of the entire Indian population. Of this number, between 5,000 to 15,000 are still unaccounted for, either in the camps or by the indigenous leaders.

The latest report approved by the Council of Elders of Indians details the firebombing of some 46 Indian communities by the Sandinista forces during the weeks starting on January 5 and ending the 11th of February. According to this account, 49 churches have been destroyed in the last 2 months, 2,931 people from these 46 communities are still missing, having been arrested by the government but they have not appeared in the camps, and a total of 393 Indians are confirmed dead. The bulk of these communities has recently fled to Honduras.

I was going to submit the statement by the Catholic Episcopal Conference dated February 18 but Mr. Abrams has already done that.

In our report we have concluded that the systematic violence visited upon the Indians by government forces is an outgrowth of the central government's policy for nearly 30 months to deprive the Indian communities of their property, their lands and also the respect of their language, culture, and religion, which had been traditional in Nicaraguan politics for the last 80 years.

Failure to integrate the Atlantic coast in the so-called revolutionary process, and the indigenous people's resistance to that process, the perceived need to create a security zone around air and port facilities currently being constructed in Puerto Cabezas and Bluefields, and an

overreaction to 11 raids by small groups of guerrillas during the last 4 months led the government to adopt the policy that borders, if not transgresses, into the realm of genocide.

As a result, my organization has appealed to the U.S. Commission on Human Rights, the Commission on Human Rights of the Organization of American States, the International Red Cross, the member parties of the Socialist International, and Secretary of State Alexander Haig, to undertake an independent investigation of these events.

We would also like an investigation into the reports that at the camp of Ricos de Oro, 60 miles south of Rio Cocao, there are reports of Miskito fishermen being forced to work in the gold mines without compensation.

Thank you very much.

[The report by Freedom House follows:]

THE INDIGENOUS PEOPLES OF NICARAGUA'S EASTERN COAST, THEIR TREATMENT BY THE JUNTA OF NATIONAL RECONSTRUCTION

For the past two and a half years, the Nicaraguan government has adopted a series of policies that seeks to integrate the indigenous peoples of the Atlantic Coast into the "revolutionary process." The Indian population, consisting of 63,000 to 100,000 Miskitos, Sumus, and Ramas lived in what the Junta of National Reconstruction thought a primitive lifestyle. It became government policy to create on the Atlantic Coast a showcase of socialism, which could be progressively adopted in the rest of the country. Historical traditions, the peoples' deep religiosity and own grassroots democratic political system quickly came up against Managua's policies. The ruling junta had several times agreed to allow the indigenous peoples the same rights granted in prior Nicaraguan treaties and signed agreements.

The Miskito Indians of the Caribbean lowlands of northeastern Nicaragua, the dominant tribe considered in this paper, are part of the "Jicaques" Indians, which also include the Sumus and the Ramas. The Miskitos were discovered by Christopher Columbus on his fourth voyage, and have been in contact with Europeans since the mid-17th century when England claimed the coastal area and in 1678 crowned a "King of the Mosquitia."

The Miskitos live in a communal manner, dividing their labor between agriculture, hunting and fishing. They elect their leaders through some 256 Councils of Elders governing the indigenous populations.

Nicaragua secured the Atlantic coastal land after the United States and England renounced their claims to the territory in the Clayton-Bulwer Treaty of 1850. In another treaty with Great Britain in 1860, Mosquitia would be incorporated normally into Nicaragua, but would remain an autonomous reservation. It was not until the Liberal Presidency of Jose Santos Zelaya (1893 to 1909) that complete jurisdiction over the Miskito people was established. Under a new convention between the Nicaraguan state and the residents of Mosquitia, the Reserve was later converted into the Department of Zelayo. In return, Mosquitia was guaranteed local government, use of its own taxes, and exemptions from military service. From the mid-1930s, Nicaraguan legislative decrees prohibited any alienation of Indian lands. In the 1950s, the government, competing with Honduras for the loyalties of the Indians, embarked on public health programs, agricultural projects and educational plans for the indigenous peoples.

The traditional rights enjoyed by the indigenous peoples have been: the right to self government, the right to dispense tax monies through their own political structure, the right to use their own language, the right to practice openly their own religion, the right to ownership over their communal lands, as well as total exemption from military service. Any encroachment on these legally binding rights has almost always resulted in rioting and uprisings against whatever government sits in Managua. After the rioting of 1893 led by Chief Clarence over these issues, subsequent Nicaraguan administrations have openly acknowledged these rights in exchange for a pledge of loyalty toward the central government.

The perceived erosion of the Indians' cultural integrity by any Managua Administration has usually resulted in the indigenous populations supporting insurgents against the government. (Their own efforts have tended toward passive resistance and the Indians have no tradition of guerrilla or other type of war-

fare.) The Miskito Indians aided Nicaraguan nationalist leader Augusto Cesar Sandino in the 1930s against the American occupation of the Atlantic Coast. The Indians also supported the guerrilla movements in the 1960s against the Somoza family dynasty and, most recently, the revolution against the Somoza dictatorship, even though little fighting took place on the coast.

PRESENT DESTRUCTION OF INDIAN RIGHTS

From eyewitness reports, newspaper accounts, documents prepared by the indigenous peoples' Councils of Elders, and interviews with religious persons and others expelled from the coastal area, and officials of neighboring countries, there is clear evidence that the Nicaraguan government has embarked on a policy that includes: The forced, mass evacuations of Indian communities from the Rio Cocao area and the northeastern coastal area; military incursions onto Honduran territory to attack refugee camps; burial alive of Indian peoples; imprisonment of clergy and Indian leaders; summary execution during the evacuation process of women and children; and legal and military destruction of the indigenous peoples' religions, economic and political institutions.

Circumstantial evidence heavily suggests that the central government has embarked on a policy to eradicate the indigenous peoples of coastal areas. The reason for this policy appears (as outlined below) to be the result of policy failures in the past and the Nicaraguan government's desire to create a militarily secure zone along the coast and the border of Honduras.

After numerous demonstrations by the coastal inhabitants against the government's policies, systematic violence, either condoned or directed by the central government, against the Indian communities and their elected representatives became policy in February 1981. Since last November, Nicaraguan officials maintain that their military operation against the indians is the largest since the Revolution. Most of these operations have targeted the 100,000 Miskitos in northeastern Nicaragua.

From government official statements, this policy has directly affected some 20,000 Miskitos, probably more, who were forcibly removed from their tribal lands; another 20,000 who have fled as refugees to Honduras (the official figures are 3,000 and 3,000 in the surrounding area); more than 1,000 imprisoned; and at least 200 dead in the last four months. From the confirmed reports of these actions, the Miskito population directly and systematically affected by Managua's policy is over 40 percent of the population.

The net effect of Nicaraguan policy toward the indigenous peoples of the Coast for the past three years is to deprive them of their socio-cultural identity, an identity based on a communal lifestyle, a democratically based selection of leadership and a passive way of life centered on their churches.

VIOLATION OF AGREEMENTS OF THE JUNTA

While the Managua government has charged exiled indigenous leaders with counter-revolutionary plans to create an independent coast, the history of Nicaragua belies this attitude. Relationships with the indigenous peoples since the turn of the century have been cordial and without social unrest as long as the Indians' long tradition of quasi-autonomy was respected. During the past two and a half years, after severe policy disputes, leaders of the indigenous peoples as represented by the Misurasata have negotiated with the Managua government. The government on several occasions agreed in writing to respect the cultural integrity of the indigenous peoples and allow them control over their communal lands, natural resources and educational program.

However, as outlined below, a consistent pattern has emerged of the violation of these agreements by the central government and not by the indigenous peoples. Threats of genocide by high-ranking government officials have been regularly reported as a way to pressure the indigenous peoples to accept central-government policies that, for all practical purposes, would mean the destruction of the Indians' lifestyle that has existed since Columbus.

From the available evidence, Freedom House cannot help but conclude that, like the South African policy toward squatters, the Portuguese colonialist policy of creating strategic enclaves, and the liquidation policies of the Soviet Union against ethnic minorities. the Nicaraguan government has embarked on a deliberately cruel policy to eradicate spiritually, culturally and physically the peoples of the coastal region.

Recent efforts to move whole communities from their tribal lands to remote and inaccessible areas of Nicaragua suggest too clearly that Managua has aban-

doned any attempts at reconciliation with their fellow citizens and have opted instead for a military, perhaps "final" solution to the Indian question.

CHRONOLOGY LEADING TO THE PRESENT POLICY OF NICARAGUA TOWARD THE INDIGENOUS POPULATION

Summer, 1979.—Immediately after the triumph of the Nicaraguan Revolution, Sandinista cadres were sent to the Atlantic Coast to integrate the indigenous peoples into the Sandinista Defense Committee (CSD), the grassroots revolutionary organization. The indigenous peoples understood this policy as an effort to destroy their own democratically-elected Indian organization ALPROMISU (Alliance for the Development of the Miskitos and Sumu People). The organization was the traditional authority among the coastal communities with its Council of Elders elected from the 256 communities scattered along the coast. Clashes between Sandinista officials and the traditional leader and members of the Southern Indigenous Committee, which advocates autonomy for the English-speaking port city of Bluefields, increased. Leaders of ALPROMISU were arrested and accused of being separatists, racists and reactionary.

In August, the Managua government seized control of the economic infrastructure of the Atlantic coast, including the indigenous peoples' own food cooperatives, fishing fleets, and the transportation systems to the more remote areas. With the increased food scarcity created by government policies, ALPROMISU called for a general strike in Bluefields that led to violent government repression of the demonstrators. After arresting the most active Indian leaders, the Junta for National Reconstruction issued a decree to the local people saying, "Join the CDS and get your food at the Sandinista distribution centers with the signature of the CDS member in charge."

Fall, 1979.—Lumbering, a key source of revenue for the indigenous peoples, was prohibited along the Atlantic Coast. In violation of Nicaraguan treaty agreements and legal statutes, the government issued decrees alienating natural resources found on Indian lands from the communal lands, and declaring communal property was to be considered State property. This decree was taken by the indigenous peoples to be a frontal assault on their tradition of autonomy and their communitarian lifestyle.

In the second week of September, the Junta for National Reconstruction ordered that all Sandinista mass organizations—from government-controlled trade unions to the people's militia—be established in the Indian communities, thereby changing dramatically the traditional communal political structure that had existed from the time predating Columbus. The following week, Lyster Athders, an ALPROMISU community leader from Saklin Rio Coco, was arrested and taken to Puerto Cabezas where he was murdered in early October.

Another sore point with the indigenous communities was the refusal of Fernando Cardenal, the director of the government's literacy program, to allow education in the indigenous languages and, particularly, English, which is the dominant language of the Atlantic coast region. The literacy program conducted in Spanish was also found objectionable because of the heavy presence of Cuban instructors and the degree to which classes were used to indoctrinate the local population into Marxism-Leninism. Particularly offensive to the indigenous population was the atheist tracts distributed by the government and Cuban teachers.

In the third week of October, Zelaya Norte, an area with one of the largest concentration of Indians, was occupied by government military forces and brought under the central government's control.

Winter, 1979–80.—In December, leaders of the Misurasata, the indigenous people's organization that now included the Ramas of the southern region, met with the co-ordinator of the Junta, Daniel Ortega Saavedra, government theoretician Sergio Ramirez; Manuel Calderon Chavez, William Ramirez, and officials of the government economic and development agencies, IRENA, INRA, and IMPRESCA, to establish points of agreement between the government and the indigenous population, and to prepare a dialogue between the two groups. It was agreed in writing that the remains of Lyster Athders would be returned to his community for proper burial, the killers would be punished and the CDS would be removed from all Indian communities.

The National Bank and the government agencies INRA and PROCAMPO, however, began forcing Indian communities to organize themselves in the government-controlled rural workers organizations (ATC). Failure to do so entailed loss of bank loans, technical assistance and the shrinking of markets for Indian-produced goods.

Summer and Fall, 1980.—On August 5, 1980, Misurasata leader, Steadman Fagoth Muller, signed an agreement with Daniel Ortega Saavedra, Moises Hassan and William Ramirez of the Junta that called for:

1. 80 percent of the value of the resources found on communal property would be left to the community.
2. Literacy programs would be conducted in the Miskito, Sumu and Creole languages.
3. Community-owned natural resources could be marketed through traditional institutions of the indigenous peoples.
4. A survey to establish the boundaries of Indian communal lands would be conducted by the government.
5. The indigenous peoples would have appropriate representation in government institutions to ensure greater harmony in integrating the coastal areas into the Revolution.
6. Those guilty of murdering Miskito Indians would be brought to trial.

Later in August, the government began to expropriate the Yulo Indian clan property southwest of Puerto Cabezas, the Tuapi Indian clan land north of Puerto Cabezas, and the properties of the Tadwapowne and Wulkiamp Indian clans. The next month, the government issued a decree creating a 9,000-square-kilometer forest reserve in an area called Bosawas where many Indian communities were located.

The government's threat of abolishing the literacy programs in indigenous languages if Marxist-Leninist theory was not incorporated into the educational curriculum, prompted indigenous teachers to refuse cooperation with the Cuban and Sandinista organizers of the literacy campaign. The tension between the coastal peoples and the central government came to a head in October 1980 when the people of Bluefields and other communities demonstrated for three days against the central government's policies and the presence of Cuban military personnel in the area.

A general strike closed down all stores, the local harbor facilities and the airport in the area. Because of widespread press reporting of the protest, the Junta issued decrees 511 and 512 prohibiting any reports to the outside world of events that occurred in Bluefields. Sandinista officials William Ramirez and Lumberto Campbel directed government forces to crack down on the protesters. Over 70 local leaders were arrested and accused by the Sandinistas over the state-run radio and television of being "counter-revolutionaries." On November 4, the Misurasata organization withdrew from the Council of State in protest against government policies toward the coast.

Winter and Spring 1980–81.—For three months, a government-sponsored committee composed of anthropologists, social scientists and political theoreticians studied the past troubles in the indigenous communities and developed a program for their integration into the "revolutionary process." The program called for transforming community property into state-owned ventures, and having Sandinista officials designate as Indian leaders those indigenous people more to the government's liking. Reports of imprisonment and assassination during these months were frequent but unconfirmed.

In February 1981, violent demonstrations by local communities in Rosita, Puerto Cabezas and Wapan rocked the coast and had to be quelled by government forces using tear gas. The same month, the government arrested the leaders of the Misurasata and 33 of their aides and transferred them to prisons in Managua. Deaths of four Indian leaders were reported in the communities of Prinzapoica and Alamikamba.

While imprisoned in the Loma de Tiscapa prison, Steadman Fagoth Muller, a Miskito leader, according to his own testimony, met several times with Interior Minister Thomas Borge, who said he would exterminate every Indian to implant Sandinismo on the Atlantic Coast. On March 18, 1981, the Indian communities in Waspan, Minerales and Puerto Cabezas demonstrated against the arrest of the indigenous leadership and demanded their release. The conditional release of the Miskito leaders was secured with the Indians being forced to accept the government's program on the coast.

On May 20, 1981, the government forces isolated the Sandy Bay Norte community, a Miskito community of 7,000 people, from the surrounding territory and cut it off from its fishing areas. The local labor union was abolished and the majority, several thousand Indians, fled to Honduras. During the summer months, several eyewitnesses and other unconfirmed reports state that the area's churches, particularly those of the Moravians who have the dominant influence over the Miskito communities, were subject to raids and occupation by Sandinista forces and government supporters. Many churches, usually the center of the

Indian communities, were destroyed and their clergy imprisoned. On August 22, 1981, Steadman Fagoth and half the Council of Elders fled to Honduras.

Fall and Winter 1981–82.—Since early September of last year, the Nicaraguan government has declared a state of seige and martial law in the coastal zone. On September 23, 1981, the Managua government sent to the World Council of Indigenous Peoples in Geneva, Switzerland, a pro-government organization of indigenous peoples using the name of the Misurasata. This newly appointed group, lacking the traditional authority of being democratically elected by the 256 Council of Elders, has also represented Nicaraguan Indians at the Regional Council of Indigenous Peoples from Mexico and Panama.

On October 24, 1981, government forces killed 14-year-old Felix Peralta in the Indian community of Saupuka and imprisoned 50 other Indians.

Beginning in November, large-scale government military operations began in Miskito territory adjacent to Honduras. The government claims that the Miskito leadership had joined hands with former Somoza National Guardsmen and other "counter-revolutionaries" and made 11 incursions into Nicaragua between November 22 and January 2. The government also claimed that 26 people, mostly Sandinista soldiers, were killed in the incursions, and another 22 abducted and taken back to Honduras. The disputed territory is a 100-mile stretch along the Rio Coco between Waspan and the village of Raiti, a remote Indian outpost In late November, the Nicaraguan army cut off the Indian communities along this land from access to the river where the communities fish for a living.

From December through February this year, the government embarked on a massive resettlement program, moving large sectors of the Indian population into the Nicaraguan interior. On several occasions, government forces attacked unarmed Indian communities and imprisoned hundreds of others. This policy by the central government has led the Miskito population to abandon their communities along the coast and move away from government troops into the interior along the river banks. According to Nicaraguan government officials who have spoken to reporters of the Washington Post, 10 Moravian missionaries have been arrested, and 20 villages, with a population of about 20,000 people have been emptied. Another 3,000 to 6,000 Miskitos have been officially designated refugees, having fled into Honduras, but recent visitors to Honduras claim that nearly 20,000 Indians have fled Nicaragua as a result of this military operation. The Zelaya Province, traditionally the land of the Miskitos, has been closed off to news media. The government has banned reports originating from there. During the past two months, government forces have sealed off the area to create a security zone. John Dinges, writing in the Washington Post, February 5, said the government acknowledges holding more than 40 Indian prisoners. Indians were also being taken to settlements near the isolated mining town of Siuna. Both the Post reporter and our Nicaraguan sources confirm that in January more than 80 army trucks transported Indians in the Miskito area, and that the high school at Puerto Cabeza has been turned into a prison.

DETAILS OF THE DESTRUCTION OF COMMUNITIES

From eyewitnesses, the following details are emerging about the moves of the Nicaraguan government against the indigenous peoples:

The Indian communities of Esperanza, Ipritigni, San Geronimo, Pransa, Wirapanjni, Bulsirpi and Carmen were firebombed and destroyed by the Sandinistas.

The Indian communities of Siksayary, Andres Tara, Santa Isabel, Krasa, Santa Esquipulas, Sang Sang, Kitasqui, Krin Erin, Pilpilia, Namasca, Wiwinak, Sante Fe, Wirapajni, Wiswis, Laguantara, Kisalaya, Bilwaskarma, Uhry, Tanisca, Kaurotigni and Klisnac have been abandoned by their inhabitants. They have taken refuge either in Honduras or in the wilderness of the interior of Nicaragua.

Many of the churches along the Atlantic Coast have been burned down by the central government. Reverend Higino Morazon of St. Carlos Rio Coco was imprisoned on December 30. Anselmo Nixon, a Catholic priest from around Sandy Bay, is reported jailed. Five American Catholics, two priests and three nuns, were expelled from the Indian area in early February.

Indigenous peoples are reportedly being prohibited from entering the port city of Bluefields. Theft of Indian livestock and property by local militia and government forces is widely reported throughout the coastal area. On December 26, 1981, 30 persons were jailed in Bluefields and a young churchworker was killed for refusing to join the local militia. Other youths from the city are reported being taken and jailed in the highlands.

On December 23, the community of San Carlos Rio Coco was bombarded by government forces. Sixty Miskito males were killed and another 100 wounded. On December 27, the communities of San Carlos Coco, Carrizal, Santa Isabel, Asang, and Krasa were told they would be resettled. Some 150 government forces and 75 Cuban soldiers allegedly occupied San Carlos Rio Cocao and forced inhabitants to construct new encampments where the Indians were forced to stay under close observation of government troops. In the community of San Carlos on December 30, the following were imprisoned: Blandes Barru, Manuel Saballos, Juan Saballos, Higinio Morazan, Linton Nau and his wife, Leiman Febrid; Raily Beldy, Julian Manzanares, Jose Barru. Others are believed to have been buried alive.

Other communities were similarly attacked and occupied. Bilwaskarma was taken by government forces and its hospital converted into a prison. Indian inhabitants were also transferred to Puerto Cabezas. Among them was Barbara Dias, the daughter of Moravian pastor Moravo Silvio Diaz. 82 Indians from the community of Assang were captured and imprisoned in the neighboring town. Dozens from Leymus, Krasa, Waspuc and Sanda Bay were also rounded up and transferred to prisons. Approximately 200 people from these communities have been jailed. Currently, several hundred government forces occupy the Indian communities of Raity, Ainwas and Walakitan.

On December 26, as part of this military operation, the village of Leymus was occupied by government forces. The following people were buried alive: Jose Lino Mercado of Asang Rio Cocao; Asel Mercado, and a man named Panthing of Krasa; Efraim Poveda of Slisnak Waspuc; Juan Poveda of Klisnak Waspuc; Louis Fajardo, Justo Martinez, Norma Castro, Rogelio Castro, Simeon Castro, Carlos Perez, Victor Perez, Rocio Gomez, Celso Flores and Ramiro Damacio, all of Raiti. The action by the government forces was witnessed by six inhabitants of Leymus who fled to Honduras, where they are hospitalized.

Along the Rio Princaporca, Indian communities have moved further inland to avoid contact with government forces. Communities in this area are engaged in total passive resistance to the central government. Kamla, a community near the strategic area of Puerto Cabezas, was forced off its land for military security reasons. It is also reported that a concentration camp called Francia Sirpi, a short walk from La Tranwuera, currently houses 3,000 Miskito Indians. Descriptions of this encampment indicate that this is a kind of strategic-hamlet habitation. The Indians were forced to build their huts in a location surrounded and watched by Sandinista guards at all times. Twelve communities around Sandy Bay have vacated the area because of attacks by government forces.

CONCLUSIONS

The governments claim to be reacting to a security threat from outside the country would be a gross overreaction even if the charge of some guerrilla activity is verifiable. Eleven raids by small bands of guerrillas cannot justify one of the largest military operations in Nicaraguan history. This operation, systematic and centrally ordered, has from the available evidence directly and negatively affected over half the indigenous population of the coastal region. From eyewitnesses, more than 200 Indians, perhaps a few thousand, have been killed in this operation. Another twenty thousand have been forcibly removed from their traditional lands. Another 6- to 20,000 have fled for their lives to neighboring Honduras. The nunmber of Indians jailed may be in the thousands. The net effect of this policy suggests that the possibility of genocide should be investigated.

Past autonomy arrangements and respect for Indian lands and customs by governments in Managua starting in the last 19th century indicate that the indigenous population itself has never posed a military threat to the central government if their rights were respected. From the brief history of the conflict between the revolutionary government and the indigenous population, it becomes apparent that efforts by Managua to accelerate the process of integrating the indigenous populations into the "revolutionary process" were wrongheaded and socially undesirable. Government policies of replacing traditional communal authority with another, downgrading the status of indigenous languages in an area where Spanish is not dominant, and the confiscation of Indian lands led to the initial anti-government demonstrations in the coastal communities. Repressive actions against Indian leaders, false accusations by the Managua government about the causes of these problems, and the forceful putting down of peaceful demonstrations only exacerbated the situation. Failure

of the Junta of National Reconstruction to uphold two different agreements which they signed, (and which could have calmed the situation) further contributed to the present tragedy.

It would appear that the Nicaraguan government realizing the failure of its past policies has, as of late November 1981, directed a ruthless campaign against the indigenous peoples of the Atlantic coastal regions.

We urge responsible human rights organizations to begin an immediate examination of the status of the indigenous peoples of Nicaragua, and the perceived threats to their lives and communal existence. We hope that the government of Nicaragua will cooperate in this inquiry.

We are addressing this appeal to the United Nations Commission on Human Rights, the Commission on Human Rights of the Organization of American States, the appropriate human rights committee of UNESCO, and the International Red Cross. We are also asking the Secretary of State, through the Assistant Secretary for Human Rights and Humanitarian Affairs, to use this government's good offices with friendly states with demonstrated interests in Central America—Mexico, Venezuela, France and others—to request from the government of Nicaragua an explanation of the perceived pattern of assault on the indigenous peoples of that country. We are also urging the Socialist international to investigate these matters. Finally, we urge the news media of the United States and Western Europe to undertake their own investigation of these events, coverage of which thus far has been sparse and spasmodic.

Community	Number of houses	Population	Number of churches	Date of the fires	Number disappeared	Number dead
Raiti	140	1.252	1	5 de enero de 1982	100	30
Siksa-Yeri	80	500	1	8 de enero de 1982	12	20
Andres Tara	110	700	1	8 de enero de 1982	25	15
Karrisal	70	300	1	9 de enero de 1982	15	8
Santa Isabel	54	300	2 M Y C	11 de enero de 1982	10	8
Asang	160	1.500	2 M Y I. D.	13 de enero de 1982	1.200	80
Krasa	95	520	1	14 de enero de 1982	320	30
San Carlos	90	500	2 M. Y C.	18 de enero de 1982	300	2
Labodega	12	115		14 de enero de 1982	113	2
La Florida	25	120		14 de enero de 1982	120	12
Amaki	26	130	1	14 de enero de 1982	15	2
San Esquipula	70	380	1	15 de enero de 1982	18	5
Sang Sang	90	420	1	16 de enero de 1982	4	2
Kitaski	80	268	1	16 de enero de 1982	4	2
Kasesola	3	30		17 de enero de 1982	3	1
Tulimbira	20	260	1	17 de enero de 1982	254	6
Pilpilia	26	130	1	17 de enero de 1982	2	10
Namahka	18	90		17 de enero de 1982	18	7
Wiwinak	70	400	1	18 de enero de 1982	20	8
Krisnak	12	125	1	18 de enero de 1982	2	2
Esperanza	160	600	1	13 de enero de 1982	80	25
Santa Fe	80	325	2	12 de enero de 1982	125	20
Wirapahnih	45	264	1	12 de enero de 1982	80	10
Pranza	30	200	1	10 de enero de 1982	15	8
San Gerenimo	100	800	2	12 de enero de 1982	120	15
Bulsirpi	15	120	1	12 de enero de 1982	8	3
Wisuis	15	100	1		8	4
Laguntara	140	600	1	17 de enero de 1982	40	15
Kisalaya	150	700	2 M. Y C	17 de enero de 1982	35	10
Naranjal	15	85	1	18 de enero de 1982	80	5
Humbra	50	280	1	18 de enero de 1982	270	10
Cabo Viejo	200	1.200	2	3 de enero de 1982	15	16
Cabo G A Dios	96	600	3	11 de febrero de 1982		
Utlamahta	52	300	1	9 de febrero de 1982		
Libin Krik	96		1	9 de febrero de 1982		
Sihi	60	350		9 de febrero de 1982		
Uran	76	400	1	9 de febrero de 1982		
Andres	135	1.100	2	9 de febrero de 1982		
Kiwastara	70	300	2	9 de febrero de 1982		
Sawa	85	500	2	10 de febrero de 1982		
Bonn	50	200	1	11 de febrero de 1982		
Klampa	72	450	1	10 de febrero de 1982		

Note: Communities which have been destroyed by fires deliberately set by the Sandinistas listing number of houses destroyed, population of the communities, churches destroyed, date of the fires, number of inhabitants who have disappeared and the number found dead.

Senator HELMS. Thank you, sir.

Mr. LeoGrande, I would mention that we have a vote on and we will have to vote and then come back. I am sorry.

STATEMENT OF WILLIAM M. LEOGRANDE, SCHOOL OF GOVERNMENT AND PUBLIC ADMINISTRATION, AMERICAN UNIVERSITY, WASHINGTON, D.C.

Mr. LEOGRANDE. Let me begin by saying that I am the director of political science at American University and have worked in the field of Latin American studies for a number of years, focusing on Central America and the Caribbean. I was in Nicaragua for 2½ weeks last month and was able to speak to a wide variety of people in the government, the opposition, and the church while I was there.

I want to divide my testimony into two parts, the first of which will focus on the human rights conditions primarily on the Pacific coast, and the second which will consider the Atlantic coast issue.

I would suggest that members of the subcommittee would do well to read the report prepared by the Inter-American Commission on Human Rights of the Organization of American States, and submitted in 1981, on the most basic issues of the rights of the person. Since we are so pressed for time and since my statement will be in the record, I will not go through the details of that report, other than to say that on the whole, the record of the government of national reconstruction, with regard to rights of the person, while it is not an unblemished one, has shown a marked improvement over those of the previous regime. There have been only isolated and unconfirmed reports of torture, disappearance, and summary execution in the years since the government of national reconstruction came into power, in contrast with the policy of the Somoza regime in which such events were a systematic part of national policy.

With regard to political rights, there is clearly an active political conflict and debate going on in Nicaragua today between the government and opposition. The government has tried to place certain restrictions on opposition political activities as conducted through the press, political parties and trade unions, but it has not tried to suppress the opposition outright, and I submit to you that if it desired to do that, it could do it very easily.

There have been restrictions placed on the press, and La Prensa has indeed been closed five times in the last 6 months for 2 or 3 days at a time. I would like, though, to correct an error, I am sure an inadvertent one, by Assistant Secretary Abrams. When La Prensa was closed in January it was not closed for having opposed the government. Rather, it was closed because during a demonstration held outside the building of La Prensa, a security guard at La Prensa opened fire on the crowd, two people were wounded and the security police came in and arrested people. La Prensa closed down for 2 days, the first day because it was occupied by the police and the second day on its own decision in order to allow tensions to be reduced.

There are a wide variety of opposition political parties, interest groups and trade unions that function effectively, although under constraints in Nicaragua today. There is a pluralism in Nicaragua. There are limitations on that pluralism, but I think we should keep in mind that the final form of Nicaragua's political system has yet to be decided, so we ought to reserve judgment, not on events that are occurring, but on where those events are in fact leading.

In terms of social and economic rights, the Government of Nicaragua has made some of its greatest strides in the fields of health and education and is struggling today to reactivate an economy which was very much destroyed by the civil war.

Let me turn to the Atlantic coast because that is clearly the human rights issue which has been foremost on everybody's mind in the current weeks. It is true that the insurrection against Somoza did not impact very greatly on the Atlantic coast, so that the new government's representatives to the region were regarded really as just another group of, as the Costeños call them, "Spaniards" who had come to rule over the area.

Few of the people from the government or from the Sandinista National Liberation Front who were sent to the coast knew any of the coastal languages, and many of them were insensitive to local culture and to the important role of the Moravian Church in community life in the region. Their efforts to mobilize the population politically and to integrate it into the revolution were in fact met with resistance and some hostility.

Partly as a result of that, the Sandinistas agreed to allow the Indian people to create their own mass organization, Misurasata, rather than to integrate themselves into the existing Sandinista mass organizations. This created an additional source of tension, however, since from the Sandinistas' point of view at least, Misurasata was organizing the Indian population around an ideology which bordered on separatism.

Tensions were heightened by the deployment of a substantial number of troops in the area by the central government in 1980 because of a fear of counterrevolutionary activity and because the remoteness of the coastal area made it difficult to defend.

In February 1981 much of the leadership of Misurasata was arrested for separatist activities. A good deal of it has since gone into exile.

Of the information that Mr. McComb has presented, without denying the truth, because I do not know whether they are true or not, I would simply point out that this information comes from the Misurasata organization, that it ought to be understood is coming from a partisan source and not a nonpartisan one.

There have in fact been a substantial number of armed incursions into Northern Zelaya by counterrevolutionaries in camps in Honduras. These attacks escalated in frequency and in intensity in December of last year.

Senator HELMS. Let us go vote and we will be right back.

[Recess.]

Senator HELMS. Again, the Chair wishes to apologize to the panel. You will note that we are losing Senators rapidly here. And we will have another vote in just a moment, which cannot be avoided.

I am told that you had consumed 4½ minutes. Why don't you proceed a little bit longer, Mr. LeoGrande?

Mr. LEOGRANDE. Thank you. As I was saying, there have been military incursions in the region; 60 soldiers and a number of civilians were killed in the last couple of months.

It is true that people were forcibly evacuated from the area. We do know that the villages were burned afterward to prevent them from

being used by armed groups coming in from Honduras, and we do know that the northern zone has been declared a military zone.

We do not know, we do not have confirmed reports on the issues of bombing, massacres, and atrocities. The truth will probably not be known until we can get an impartial international investigation, and I am told that the Organization of American States Human Rights Commission has been invited by the Nicaraguan Government to go into the region to investigate.

I think that is a good idea, and I think that those of us who are serious about the international protection of human rights ought to neither accuse nor excuse the Government of Nicaragua for these actions until we have a better sense of what has happened.

I would like just in conclusion, Mr. Chairman, to ask that you include in the record a letter to the Congress which the Board of World Missions of the Moravian Church of North America has asked me to communicate to you, describing its concern about the actions that were undertaken, but at the same time expressing its belief that a dialog between the government and the Indian population is still a possibility. It is included in my statement.

Senator HELMS. Without objection it will be included, and without objection the Chair will direct the staff to arrange for these proceedings to be printed.

[Mr. LeoGrande's prepared statement follows:]

PREPARED STATEMENT OF DR. WILLIAM M. LEOGRANDE

Mr. Chairman, Members of the Subcommittee, I would like to begin by thanking you for the opportunity to speak with you this morning on the issue of human rights in Nicaragua.

I am currently Director of Political Science in the School of Government and Public Administration at The American University here in Washington. I have worked in the field of Latin American studies for the past 10 years, focusing on Central America and the Caribbean. I spent 2½ weeks in Nicaragua last month, during which time I was able to speak with a wide range of people in the government, private sector, political parties, church, and press.

BACKGROUND

In the mid-1970's, when the issue of human rights became a key factor in the allocation of U.S. foreign assistance, the attention of human rights advocates, and later of the Carter Administration, focused on a small number of countries whose human rights records had been widely criticized by international human rights organizations. Among these was Nicaragua.

In the aftermath of the 1972 earthquake, opposition to the regime of Anastasio Somoza began to rise, and Somoza responded by increasing the repressive activities of the National Guard. In 1975 and 1976, the Guard carried out military operations in northern rural areas which involved widespread looting and summary execution. These atrocities were condemned by the U.S. Department of State, Amnesty International, and the Roman Catholic Church of Nicaragua.[1]

Human rights abuses by the National Guard escalated dramatically in 1978 when the assassination of opposition leader Pedro Joaquin Chamorro was followed by widespread civil disturbance. In September, uprisings occurred in several Nicaraguan cities. The National Guard responded with indiscriminant aerial bombardment and, once the cities had been secured, the Guard conducted hundreds of summary executions of teenage and adult males. Disappearances and the use of torture by government forces were endemic during this period.[2]

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[1] *Country Reports on Human Rights Practices for 1976* (Washington, D.C.: U.S. Department of State, 1977); *The Republic of Nicaragua: An Amnesty Report* (London: Amnesty International, 1977).

[2] *Report on the Situation of Human Rights in Nicaragua* (Washington, D.C.: Organization of American States, 1978).

The violations of human rights committed by the Somoza regime contributed to the growth of popular opposition, to the decision of several Latin American governments to provide assistance to the anti-Somoza forces, and to the decision of the Carter Administration not to provide large-scale military aid to Somoza. On July 17, 1979, Somoza fled into exile, and 2 days later the Government of National Reconstruction (GRN) was established in Managua. Nevertheless, fighting continued in some localities for several days, and it took the new central government several months to exert control over the entire national territory.

RIGHTS OF THE PERSON

In the weeks immediately following the collapse of the Somoza regime, when no effective central government control existed, local authorities were guilty of a number of human rights abuses. Several dozen cases of disappearances, summary executions, and torture are well-documented, particularly in the city of Granada. The GRN admits that such abuses occurred and has placed some local officials under arrest pending investigation.[3]

Other reports of disappearances during the first three months of the new government run as high as 600, but little or no documentation exists for these cases.[4] Many of these individuals may have gone into exile or been the victims of personal vengeance.

Investigations by the Inter-American Commission on Human Rights (Organization of American States) and Amnesty International concluded that the violations which occurred during the initial months after July 19 were not sanctioned by the central government, were contrary to government policy, and decreased markedly once the GRN established nationwide control.[5]

Since 1979 there have been sporadic but persistent reports of disappearances and instances of torture numbering several dozen annually.[6] Documentation for these cases is sparse, however. In 1981, Amnesty International concluded that it had received "no convincing accounts alledging systematic ill-treatment or torture of prisoners under the present government."[7]

The widespread and brutal nature of the atrocities committed by the National Guard during the insurrection produced a great public demand for retribution. To avert the outbreak of personal vendettas, the GRN promised to prosecute members of the old regime responsible for human rights violations. A total of 6,310 people, mostly members of the Guard, were arrested and tried before Special Tribunals created for this purpose. Of these, 4,331 were convicted and sentenced to prison terms of from 1 to 30 years. Since the GRN abolished the death penalty, none were executed. In 1980, 573 of these prisoners—mostly women, elderly, and infirm—were pardoned and released.[8]

Procedural safeguards of due process in the Special Tribunals were rudimentary, and many defendants were convicted solely on the basis of belonging to a "criminal association"—i.e., voluntary membership in the National Guard. The nature of the proceedings before the Special Tribunals has been the subject of wide criticism by human rights organizations.[9]

Prior to the recent disturbances on the Atlantic Coast, approximately 100 people besides the former Guardsmen had been convicted since 1979 of politically related crimes. The nature of these offenses varies considerably from armed attacks on government officials to mere verbal criticism of government policy.[10]

The conditions under which prisoners are held are widely recognized to be inadequate. Most of the prison facilities now in use were built during the Somoza period and were not properly maintained. All are badly overcrowded and prisoners receive an inadequate diet and only limited health care. In response to international criticism, the GRN has improved prison conditions somewhat

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[3] *Report on the Situation of Human Rights in the Republic of Nicaragua* (Washington, D.C.: Organization of American States, 1981), p. 39–53.

[4] *Human Rights Reports: Nicaragua* (Antwerp, Belgium: Pax Christi International, 1981), p. 65–66.

[5] *Report on the Situation of Human Rights in the Republic of Nicaragua*, p. 58; Amnesty International Report on Nicaragua, 1981.

[6] *Country Reports on Human Rights Practices for 1980* and . . . *for 1981* (Washington D.C.: U.S. Department of State, 1981 and 1982).

[7] Amnesty International Report on Nicaragua, 1981

[8] This data on prisoners is drawn from the 1981 OAS report cited above.

[9] See, for example, *Ibid.*, pp. 74–97.

[10] Amnesty International Report on Nicaragua, 1981.

over the past year. The government acknowledges the inadequacies of conditions, but maintains that it does not have the resources to renovate existing facilities.[11]

On the whole, while the record of the GRN on respect for rights of the person is not unblemished, its practices are a marked improvement over those of the previous regime, under which torture, disappearance, and summary execution were used systematically as a matter of policy.

POLITICAL RIGHTS

The juridical basis of political freedom in Nicaragua is established in the Fundamental Statute of the GRN (adopted July 20, 1979) and the Statute of Rights and Guarantees of Nicaraguans (adopted September 17, 1979). These statutes provide for freedom of religion, of speech, of the press, and of political association (the right to organize trade unions and political parties is specifically mentioned). The statutes also guarantee the right to participate in the political, social, and economic life of the nation. These rights are not absolute, however, and may be restricted in the interests of national security, public order, or public morality.[12]

The government created after July 19, 1979 consists of a Junta as executive authority, a Council of State as legislative authority, and a judiciary. The Junta was selected by the Sandinista National Liberation Front (FSLN). The Council of State is composed of representatives from all the major political parties and organized interest groups. Its membership, as originally announced, would have given non-FSLN groups a majority, but the Council's composition was changed in April 1980 to give a majority to groups affiliated with the FSLN. This provoked the first serious conflict between the FSLN-dominated government and the opposition, comprised of private sector interest groups and pre-1979 political parties.

That conflict has continued, flaring periodically into crisis and then subsiding in renewed efforts at reconciliation. One of the issues at the core of the conflict is political pluralism. While the FSLN remains publicly pledged to maintain pluralism, its precise definition of the concept remains vague. Government policies over the past 2 years have placed certain restrictions on opposition political activity conducted through the press, political parties, and trade unions. The government has not tried to suppress the opposition outright, but it has tried to limit the opposition's ability to mount a serious challenge to the FSLN's political hegemony.

Press laws adopted in 1980 (Decrees 511 and 512) provide for prior censorship in cases where news stories might endanger national security. In practice, this has been applied to stories on consumer goods shortages, political violence, and events on the Atlantic Coast. The opposition newspaper *La Prensa*, which is vociferous and unrelenting in its criticism of the GRN, has been closed five times (for 2 or 3 days each time) in the past 6 months for violations of the press laws. Several opposition radio programs have been suspended as well. Despite the legal restrictions, *La Prensa* continues to publish with little apparent fear, often probing the limits of the government's tolerance.

A wide variety of opposition political parties and interest groups exist and function effectively. A law detailing the rights and responsibilities of political parties is currently being drafted. At present, existing law does not allow parties to select candidates for public office or to campaign until 1984. Elections are scheduled for 1985, though their precise nature is uncertain because no electoral law has yet been written. The kinds of activities prohibited as campaigning are not clearly specified. On several occasions, the government has blocked efforts by opposition parties to stage outdoor rallies, but indoor rallies, party meetings, public pronouncements, and party organizing are allowed.

There have been a number of incidents, however, which appear to be aimed at intimidating the opposition. The most serious of these were the ransacking of the headquarters of the Nicaraguan Democratic Movement's (MDM) headquarters in 1980, an attack on the house of MDM leader Alfonso Robelo in 1981, and a confrontation during the 1982 opposition rally commemorating the assassination of Pedro Joaquin Chamorro. In each incident, several hundred pro-government demonstrators were involved, but the GRN denied responsibility for the

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[11] *Report on the Situation of Human Rights in the Republic of Nicaragua*, p. 98–99.
[12] *Ibid.*, p. 29ff.

events. The opposition generally assumes these incidents had some official instigation or sanction.

By far the most intimidating government action thus far was the arrest and imprisonment of three officials from the Supreme Council of Private Enterprise (COSEP), the most important private sector interest group. The three were convicted for having written an open letter to the GRN accusing it of following a Marxist-Leninist line and of "preparing a new genocide." For this, they were sentenced to seven months in prison. On February 14, 1982 they were released, however, as part of the GRN's effort to promote a new dialogue with the opposition.

A number of trade union organizations exist in Nicaragua, most of them closely affiliated with some political party. In 1979 and 1980, the FSLN sought to incorporate all existing unions into a federation affiliated with them—the Confederation of Sandinist Workers (CST). The unions affiliated with opposition parties resisted this drive, despite bitter jurisdictional disputes and widespread reports of pressure tactics by the CST.[13] These conflicts have subsided considerably over the past year. At present, the CST includes approximately 53 percent of the organized labor force the Christian Democratic Confederation of Nicaraguan Workers (CTN) includes 25 percent and several smaller federations divide the remainder.

The most serious government action against opposition trade unions came in 1981 when approximately 30 Communist Party and labor officials were arrested for instigating strikes in violation of the Economic Emergency Decree of September 1981. These officials remain in prison.

The Roman Catholic Church has long had a central role in Nicaraguan society, and the Church's opposition to Somoza was an important stimulus of resistance to his regime. The GRN has not placed any restriction on religious liberty, but its relations with the Church hierarchy have been increasingly strained. The Church itself is internally divided between clergy and laity who basically support the policies of the GRN and those who do not. The government and opposition have both tried to bolster their respective supporters within the Church. In 1981, for example, state-owned television refused to continue to broadcast Sunday mass served by Archbishop Obando y Bravo, arguing instead that the Archbishop share the broadcasts with other priests (some of whom, at least, would be less critical of the regime than Obando).

In summary, Nicaragua continues to have a plural political system with a variety of opposition parties, interest groups, trade unions, and press. Limitations on the activity of these groups do exist, but they do not prevent them from active, vocal participation in politics. The final form of Nicaragua's political system has yet to be determined however, so the limits on pluralism that might ultimately be imposed are difficult to predict.

SOCIAL AND ECONOMIC RIGHTS

Both the Fundamental Statute and the Statute of Rights and Guarantees provide for broad social and economic rights including the right to individually and collectively owned property, to work, to adequate health care, and to education. The GRN is strongly committed to economic policies aimed at redistributing wealth and income in order to improve the living standards of Nicaragua's poorest citizens.

The civil war, however, took an immense toll on the economy, one which the GRN has yet to recover from. In a nation of 2.5 million people, the war claimed the lives of 45,000 and left 160,000 wounded, 40,000 orphans, and 250,000 refugees. Over half the population was dependent upon emergency food relief at the war's end. Estimates of the economic losses from the war approach $2 billion, approximately half of which resulted from the destruction of productive capacity.[14]

Despite considerable foreign assistance from a wide variety of nations and international organizations, the economy's recovery has been slowed by a combination of low world market prices for Nicaragua's principal exports, managerial inefficiency in the state sector, and decapitalization in the private sector. The state sector encompasses approximately 40 percent of the economy which belonged to Somoza and his associates and was expropriated in July 1979. Some additional properties have been expropriated when their owners have gone into

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[13] *Country Reports on Human Rights Practices for 1980.*
[14] *Report on the Situation of Human Rights in the Republic of Nicaragua,* pp. 155–156.

exile or when the properties have been decapitalized. One outstanding political issue between the government and the private sector is what legal proof the GRN should be required to present in order to establish that an enterprise is being decapitalized and is hence liable to expropriation.

While increases in personal income over the past 3 years have largely been off-set by inflation, the GRN has made considerable strides in the provision of social services. Spending on health care has more than doubled as a percentage of the budget since 1979, and considerable efforts have been made to extend health care services into remote areas of the nation where they have never before been available. Public health education and vaccination campaigns conducted by Sandinist mass organizations are the key elements in a governmental program of preventive medicine. Social security benefits have been extended to a population 67 percent larger than that covered by pre-revolutionary programs.[35]

The most dramatic gains, however, have come in the field of education. Education through secondary school has been made free and compulsory. In 1980, a nationwide literacy campaign reduced the rate of illiteracy from 52 percent to 13 percent.[36]

Through its stated policy positions, its programs of activity, and its budgetary allocations, the GRN has made clear its deep commitment to extend basic social services to every segment of society and to raise the quality of life for the poor. To date, its successes have been limited primarily by the difficult economic situation of the nation as a whole.

THE ATLANTIC COAST

The "Atlantic Coast" of Nicaragua includes the departments of Zelaya and Rio San Juan which together comprise over half the national territory, but hold only 10 percent of the population. The region is far more underdeveloped than the Pacific Coast and is inaccessable from there by road. Even within the region, many villages can only be reached by river or on foot.

The remoteness of the Atlantic Coast has given it a distinct social, economic and political history. It was a British protectorate until 1894 when it was ceded to Nicaragua. The coastal population (costeños) is composed of three indigenous peoples (the Miskito, Sumo, and Rama Indians), Criollos (Afro-Caribbeans descended from slaves imported by the British), and a small Chinese merchant class. During the twentieth century, however, control over coastal government and much of the coastal economy has been held by Hispanic Nicaraguans (which the Costeños call "Spaniards"). Thus the ethnic and language differences between the costeños and Pacific coast Nicaraguans were reinforced by divisions of economic class.

During the latter half of the nineteenth century, missionaries of the Moravian Church, an evangelical Protestant denomination, converted the majority of the coastal population. The Moravian Church remains very strong in the region, with local pastors often acting as community leaders.

During most of the Somoza period, the government in Managua ignored the Atlantic Coast. The coastal economy had few linkages with the Pacific region; what little economic development occurred was the result of enclave investments in mining, lumbering, and bananas undertaken by U.S. corporations in the 1950's and 1960's. The mining industry and the banana plantations declined in the 1960's, leaving the region only marginally more developed than it had been before their arrival.

In the early 1970's, partly as a result of agricultural development projects sponsored by U.S. AID, the Indian communities of the Atlantic Coast began to organize themselves politically, forming an organization called APROMISU (Alliance for the Promotion of Miskito, Sumo, and Rama) to press their demands on the central government. In 1974, Somoza was able to coop APROISU into his patronage network, but it remained an important and influential organization at the community level.

The insurrection against Somoza hardly touched the Atlantic Coast and representatives of the GRN who arrived in the region were widely regarded as simply a new group of "Spanish" rulers. Few of the GRN or FSLN officials sent to the coast spoke any of the languages native to the area or had any knowledge of the local cultures. Their insensitivity to the role of the Moravian Church and

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[35] *Ibid.*, p. 167.
[36] *Ibid.*, pp. 162–164.

their efforts to mobilize the population politically were met with resistance and anger by the local population.

In December 1979, Daniel Ortega (member of the Junta of the GRN and of the FSLN National Directorate) met with several hundred Indian leaders and agreed that instead of being integrated into the regular mass organizations of the FSLN, the Indian peoples would be allowed to reorganize APROMISU under the new name Misurasata (Miskito, Sumo, Rama, Sandinist Unity). This organization would then become the sole mass organization for the Indians.[17]

This proved to be an uneasy compromise. The FSLN remained suspicious of Misurasata because of APROMISU's relationship to the Somoza regime, and because of the tendency of Misurasata to organize around an ideology of "cultural nationalism" that sometimes borders on separatism. These suspicions were aggravated by the coastal population's resistance to the GRN's efforts to "integrate" the Atlantic Coast into the rest of the nation—efforts which many costeños saw as a threat to their cultural identity.

Tensions on the Atlantic Coast were heightened by the GRN's deployment of a sizable number of troops in the region. Given the remoteness of the Coast and the latent hostility of much of the population, the GRN feared that the Coast would be a logical target for counter-revolutionary activities. A number of confrontations between GRN forces and the local population during 1980 openly alienated many of the coastal people from the central government.

In February 1981, much of the leadership of Misurasata was arrested for separatist activities. One of the arrests sparked an armed clash in Prinzapolka during which four GRN soldiers and four local people were killed. Demonstrations were held in Puerto Cabezas and Waspam to protest the arrests. With several exceptions, the Misurasata leaders were released as a result of mediation efforts by the Moravian Church. However, one of the leaders, Stedman Fagoth, remained in jail and the government published documents alleging that he had worked as an informer for the Somoza regime. Continued protests over his imprisonment, however, led to his release in May. Shortly thereafter he fled to Honduras.

Within weeks, a clandestine radio station began broadcasting into the northern Zelaya region in the Miskito language urging the population to flee across the River Coco to Honduras. Fagoth established contact with other armed counter-revolutionary groups in Honduras, with the Honduran armed forces, with the Somocista exile community in Miami, and with the U.S. military mission in Honduras.[18] In late 1981, counter-revolutionary bands began making armed incursions into northern Zelaya, reportedly from camps in Honduras run by Fagoth. These attacks escalated in frequency and intensity in December, culminating in a major military engagement in the town of San Carlos on December 21. In all, 60 GRN soldiers were killed in these incursions.[19]

In early January, the GRN began the forcible evacuation of the villages along the River Coco, relocating the population to areas some 70 kilometers to the south. Over 8,500 people were moved, and most were unable to bring personal possessions with them. Their abandoned villages were burned to prevent them from being used as encampments by the armed groups operating from Honduras. The entire northern river area was declared a military zone and the town of Waspam was converted into a major military base. Several thousand Miskitos fled into Honduras to avoid relocation.

There is little reliable information about the way in which the evacuation was conducted. Rumors have circulated that villages were bombed and strafed, that scores of people were massacred, and that various atrocities were committed. None of these rumors has yet been confirmed, but it will probably require impartial international investigation to establish with any confidence what the

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[17] The chronicle of events reported in the two pages following is drawn largely from Margaret D. Wilde, "The Sandinistas and the Costeños," *Caribbean Review* (Fall 1981): 8–11, 44. This article is the best review of Nicaraguan government policy on the Atlantic Coast from 1979 to mid–1981.

[18] On Fagoth's connections with armed groups in Honduras, see *Excelsior* (Mexico City), February 18, 1982, *The Washington Post*, December 30, 1981, and *Latin America Weekly Report* (London), January 8, 1982. On his connections with the Honduran armed forces, see the *Washington Post* and *Latin America Weekly Report* articles above. On his connections with the Nicaraguan exile community in Miami, see *The Miami Herald*, June 10, 1981. On his connections with the U.S. military mission in Honduras, see *The New York Times*, February 21, 1982.

[19] For a chronology of the armed incursions and a list of the GRN soldiers killed, see *Barricada* (Managua), February 4, 1982.

truth is. The GRN asserts that no one was killed during the relocation and has invited the Inter-American Human Rights Commission to send representatives to the area. Hopefully, the Commission will accept.

Coincident with the evacuation, the GRN arrested some 400 people, including a number of Moravian pastors, for providing assistance to the armed groups in Honduras. According to confessions given by some of these prisoners, the armed incursions were intended to culminate in an uprising of Miskitos in the River Coco area, the declaration of an independent Miskito nation, and an appeal for foreign assistance against the Nicaraguan Government. This plan was allegedly code named "Operation Red Christmas." [20]

It should be noted that although the GRN accused the Moravian Church as an institution of participating in this plot, the church hierarchy has declared its support of the evacuation while at the same time criticizing the government's conduct on a number of points.[21] The Board of World Mission of the Moravian Church in North America has similarly criticized the actions of the GRN as "unnecessarily severe," but at the same time has expressed its belief that dialogue between the GRN and Miskito community is still possible. Attached to my prepared statement is a letter from the church which it has asked me to convey to you.

The reasons for the evacuation of the River Coco area seem relatively clear, whether or not one regards them as justifying the policy. Armed incursions from Honduras were rapidly converting the region into a war zone, so the GRN's claim that it evacuated the population because it could not protect them should not be dismissed out of hand as cynical. At the same time, it is clear that the armed groups were receiving assistance from the local population (many of whom have relatives on the Honduran side), and that the GRN's armed forces could not discriminate between those who were aiding the counter-revolutionaries and those who were not. Under such conditions it was virtually impossible for the GRN to secure the border in the River Coco area. With the populace removed and the area militarized, the GRN has a much better possibility of preventing large-scale incursions in the future.

The evacuation of so many people from their traditional homes raises a number of important human rights issues which cannot yet be answered for lack of reliable information. But an agenda of such questions can be offered. Under what conditions were the evacuations conducted, what sort of force was used, and were there any confirmable cases of brutality? Are the people who were evacuated free to go elsewhere outside the military zone, or are they confined in their relocation camps? What conditions prevail in the camps—is there adequate food, shelter, health care, and schools? What resources is the GRN providing in order to begin farming in the new areas? What are the GRN's long term plans for the relocation areas and the people in them?

Until reliable answers to these sorts of questions can be obtained, it would be a mistake for those who are serious about supporting human rights to either condemn or excuse the actions undertaken by the GRN in the Atlantic Coast region.

STATEMENT BY THE REV. GRAHAM H. RIGHTS, EXECUTIVE DIRECTOR, BOARD OF WORLD MISSION, MORAVIAN CHURCH IN NORTH AMERICA, BETHLEHEM, PA.

To the Congress and People of the United States of America, the Moravian Church is a small denomination with a proud history of missionary enterprise, bringing educational and health services along with the Gospel to many African and Caribbean countries, including eastern Nicaragua since 1849. It also traditionally abhors violence and aggression from any source and seeks actively to establish realistic conditions for political and ethnic reconciliation.

Although the Nicaraguan Moravian Church has been independent since 1975, North American Moravians have continued to support its institutions with economic and material aid and short-term personnel. Thus we are familiar with the history of the region and continue to receive regular, reliable news of the recent developments on the East Coast of Nicaragua.

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[20] The details of this plan are presented in *Barricada*, February 4, 1982.
[21] "Communique of the Moravian Church of Nicaragua," Managua, Nicaragua, February 4, 1982 (mimeograph).

On February 3, 1982, we wrote our member churches about the forced evacuation of Miskito Indian villages along the Rio Coco, the emigration of several thousand villages to Honduras, the militarization of the region and the arrest of possibly several hundred persons, including some church leaders. We added, and this is still our position:

"The Board of World Mission has expressed grave concern over these actions, in conversations with the Nicaraguan Embassy in Washington and by direct cable to the Nicaraguan Government. We believe that some of the actions taken by the Nicaraguan military authorities were unnecessarily severe, even in the light of confirmed reports of armed raids by anti-government forces from across the Honduran border.

"We have expressed support for the Moravian and other church leaders in Nicaragua who are attempting to negotiate the release of the remaining detainees, and who are seeking permission for those now restricted to Managua to return to their ministry of service and reconciliation on the East Coast. Informed and guided by them, we believe that the military actions are motivated by real and perceived threats to national security rather than by persecution of the church and the people of the East Coast, and that therefore the need and opportunity for mediation and service by our sister church in Nicaragua have not yet been exhausted."

In other words, we believe that the recent military action should be analyzed, and any confirmed cases of abusive force should be condemned, from the standpoint of ethnic and civil liberties and religious freedom. We are not convinced, however, that the resources of dialogue have failed or been cut off by the Nicaraguan Government; nor do we believe that political rhetoric and the force of arms present a more viable solution. The people and churches of Nicaragua are still willing and able to work out their differences with government authorities, and the procedures for such a resolution—though sharply curtailed by the recent action—are still in place and being used.

The recent military action is part of a chronic and occasionally acute conflict between the Miskito people and successive Nicaraguan governments which dates back long before the Sandinista revolution. Geographic, linguistic and cultural differences have often led to ethnic antagonism, especially when aggravated by geopolitical upheavals.

For example, after the East Coast was transferred from British to Nicaraguan control in 1894, the coastal natives vigorously protested western Nicaraguan intrusions on their traditional lands. A binational commission was assigned to settle the native land claims—not very successfully, given the communication and travel barriers of the time, and the inadequacies of that settlement have contributed to recurring tensions between the coastal natives and Nicaraguan authorities.

In the early 1960's, after Nicaragua accepted an internationally arbitrated decision to establish the Rio Coco as its border with Honduras, the Nicaraguan Miskito were deprived of the richer alluvial farmland on the north bank; many were unwillingly resettled to Santa Marta in an infertile, deforested area south of the river, where they still bitterly recall abuses suffered at the hands of the Somoza government. Since then there have also been occasional confrontations between the Miskito remaining on the south bank and the border patrols of both countries, who often abusively denied them their promised right to cross the river and use it to transport their crops to market.

Now another geopolitical upheaval—the current hostility between the governments of the United States and Nicaragua—has made that same border a staging ground for military hostilities, and has made the Miskito Indians unwilling pieces in a rapidly expanding Central American war game. Antigovernment forces, which are widely believed to have the moral and logistical support of the U.S. and Honduran military, have recruited some Miskito in their military and political campaign against the Nicaraguan Government. The Nicaraguan Government has responded out of anger and ignorance of the Miskito culture and attitudes, collectively treating them as a source of separatism and treason.

Unnecessary and abusive actions have often attended the long history of confrontation between the Miskito people and the dominant western Nicaraguan culture and government. As Christians we deplore and denounce such actions. As Americans, however, our denunciations are accompanied by a note of humility; we sadly recognize our own mistakes in the treatment of Indians and other

minority groups, and we acknowledge the failure of our government so far to disassociate itself publicly from the antigovernment forces or to use its good offices with the Honduran Government to encourage a mediated settlement along the Rio Coco.

The Moravian Church in North America calls on all people of good will in Nicaragua and the United States to stop resorting to rhetoric, force and threats of force, and instead to work constructively toward a mediated settlement consistent with the rights and culural values of the Miskito people and the Nicaraguan nation.

Senator HELMS. Thank you, sir, for your patience. You are the last of four and you have been sitting there very patiently. You may proceed.

STATEMENT OF DR. FRANK BENDANA, FARMER AND PRIVATE SECTOR LEADER, GAINESVILLE, FLA.

Mr. BENDANA. Thank you, Mr. Chairman. For the record, my name is Frank Bendana and I will be speaking not only as an individual, but as a director of COSEP, which is the Superior Council for Private Enterprise of Nicaragua. I leave here a letter where it so shows that I am that.[1]

Senator HELMS. Without objection, it will be included in the record.

Mr. BENDANA. I will also submit for the record a series of documents. One is the speech of Humberto Ortega Saavedra of the 25th of August. And just to keep the record straight for Senator Dodd who is not here right now, but he will read it some day, in Patua San Jose, there was an 18-month election to come up and it also appears in what is known as Instituto Fundamental, which was the constitution of the new government.

This was totally negated on the 23d of August 1980, by Humberto Ortega, and he repeats that in this speech, which I will leave for you, where he says, and let me say it in Spanish and then translate it:

[The text read in Spanish is translated as follows:]

There are not in agreement and they have talked about elections from the very beginning, but we have never promised elections as they think we are going to carry out. We have never and we have said this in previous occasions through the National Directorate, are we going to discuss power because this power was taken by the people with arms and here we will never play with the power of the people.

Senator HELMS. The lady who is taking this down has just shot herself. [Laughter.]

Mr. BENDANA. What this says more or less, and his statement was that in 1985 there will be elections to designate the person within the party who will head the state because the party is not going to raffle—those are his words in the Barricada, and again that is their official newspaper, that the power was ever going to be raffled. The power was taken by the arms and it will be protected by the arms.

Everybody has been speaking about human rights in the Atlantic coast. I would like to very rapidly mention the systematic human wrongs of the Sandinista regime with private enterprise. I will start with the nonclarified death of Jorge Salazar, who first was accused of shooting back at the security police and then it was found and as-

[1] See p. 54.

sumed by Minister Borge that Jorge Salazar did not have any arms with him.

The creation of mobs handled directly by Comandante Vicky—her name is Leticia Herrara—she manipulates these mobs. These mobs burnt the political house of the MDN, which is a political movement. That was March 15 of last year. And the next day it burned a private home in a town where a rally was going to be held, and a 14-year-old boy was taken hostage, stripped, manhandled—I can give you the name of the little boy. His name is Jose Esteban McEwan. It just so happens he is a nephew of mine.

Two days later these mobs, with the police, interrupted a private school, a girl's school called La Asuncion. The director of that school was spat upon and then accused by one of the instigators that she was in turn instigating the people because she turned around and said "Why don't you spit in my other cheek?" I can say that for the record. She was my wife.

In May, Jose Esteban Gonzalez, the coordinator of the Human Rights Committee of Nicaragua, who helped the Sandinistas so much, was mobbed at the airport. He was then systematically followed until he was arrested on the 8th of September of this year, and his documents, which do show the death of prisoners in the Zona Franca, et cetera, were taken away from him. He is now residing in Venezuela.

Last but not least, a home, a private home, has been confiscated so it can be donated to the Mexican Embassy, and this home had been in negotiations, with letters which I will also submit, by the Minister of Foreign Relations of Nicaragua, Father Miguel D'Escoto.

Personally I can say that I was stopped leaving my home on June 30, taken by machine gunpoint, asked to renounce my American citizenship. I negated that. I was put on an airplane, not deported to the United States. I was sent to Mexico and made, at the airport, at gunpoint, to pay my ticket to Mexico. Supposed, I was a foreigner involved in internal politics.

That is all for the moment, Mr. Chairman. I am willing to answer any of these questions.

[The following material, submitted in Spanish by Mr. Bendana, was translated by Wesley Kerney, Language Services, Congressional Research Service.]

CONSEJO SUPERIOR DE DA EMPRESA PRIVADA,
Mànagua, Nicaragua, C.A.

The Superior Council of Private Enterprise of Nicaragua (COSEP), meeting in ordinary session at 5 p.m. on September 1, 1981, does agree:

First: To name as Director of COSEP, Engineer Frank Bendaña, this organization's representative in the United States of America.

In this capacity he can present the COSEP's positions to the authorities, to the news media and to any group of the private sector with whom COSEP maintains relations.

Second: To authorize Eng. Frank Bendaña, representing the COSEP before the United States Government and private institutions, to arrange for, manage, and expedite any assistance earmarked for favoring the private sector of Nicaragua.

Given in the city of Managua at 6:00 p.m. on September 1, 1981.

[SEAL]

ISMAEL REYES,
Acting President.
ALEJANDRO BURGOS R.,
Secretary of the Council.

GOBIERNO DE RECONSTRUCCION NACIONAL,
MINISTERIO DE JUSTICIA,
Managua, Free Nicaragua, November 25, 1981.

MR. ROGER TERAN BALLADARES,
Del Colegio Centroamérica, Managua.

MR. TERAN: The Junta of the Government of National Reconstruction, through me, wishes to inform you of the State's interest in buying your property located: Del Colegio Centroamérica, 2 kms. to the South, in the place known as the "El Combatiente Desconocido" district.

Please indicate the name and address of your legal representative, or if it will be you personally that will negotiate the terms on which a definitive agreement might be reached.

Awaiting your reply, I am, in the meanwhile,

Sincerely yours,

[SEAL]

RICARDO MORALES BERMÚDEZ,
Procurator of Finances
of the Republic of Nicaragua.

MINISTERIO DEL EXTERIOR,
Managua, Nicaragua, May 12, 1981.

MR. ROGER TERAN BALLADARES,
Managua.

DEAR ROGER: I wish to reiterate our interest in buying a residence under your ownership located in the "El Combatiente Desconocido" district, del Colegio Centroamérica, 2 kms. to the South, built on two (2) square blocks of land and lien-free under the following terms:

US $350,000 (three hundred and fifty thousand dollars net).

Plus: C $500,000 (five hundred thousand córdobas net) all free of sales tax so as to ensure you of receiving the above-indicated net, provided that all the real estate taxes and others are paid off on today's date.

Without further, I am,

Fraternally yours,

[SEAL]

MIGUEL D'ESCOTO BROCKMANN,
Foreign Minister.

On February 26, 1981, Chancellor Jorge Castaneda, Minister of Foreign Affairs of Mexico, and his retinue, were received by Mrs. Nelda de Teran at her residence in Nicaragua. He gave his approval for the purchase of the residence which Mexico desired so much. However, he did not proceed to pay for it, but rather the Sandinista government offered to buy it and give it to Mexico in gratitude for the "great assistance" which Mexico has given the Sandinistas.

This purchase was offered to the owner by Nicaraguan Chancellor Miguel D'Escoto in his letter of May 12, 1981, for the sum of $400,000.00 dollars tax-free, an amount which represented 50 percent of the price agreed on with Mexico.

The Sandinistas didn't pay, either, but Mexico kept on pressuring Nicaragua to give them the residence in question as a gift.

In the fact of fear expressed by Roger Teran that the Sandinistas would look for any pretext to take his residence without paying for it, the Mexican ambassador to Nicaragua, Julio Zamora, assured him that Mexico would never occupy his residence if the Sandinistas made any play to appropriate it for themselves.

On November 25, 1981, the Procurator of Finances of the Republic of Nicaragua, in a letter to Mr. Teran, confirmed once again that they would buy his residence in order to fulfill the offer which the Sandinistas had made to the Mexicans, who were upset over the delay in its surrender.

Wanting to put an end to this matter, the Sandinista government published in La Gaceta Diary [Official Record] No. 288 of December 18, 1981, that they were declaring Mr. Roger Teran's residence to be of national interest [eminent domain?], thus making this case the first in the world where a private residence was declared "eminent domain" in order to give it to another country without paying for it. The consequences of this expropriation were very serious insofar as the Sandinistas justifying their acts, also a few days afterwards they also took the various businesses and properties of Mr. Teran, although it is as yet not known what justification they will give for committing these unusual abuses.

[From La Prensa, Jan. 8, 1982]

UNUSUAL EXPROPRIATIONS IN LA GACETA

The Sandinistas declared Roger Teran's residence to be eminent domain in order to give it away to Mexico. Mexico pressured the Sandinistas in order to receive this residence as a gift. That the Sandinistas steal is nothing new nor does it surprise anyone, but for Mexico to take advantage of Nicaragua's misfortune to avoid paying for the residence it desired is something else.

Checking the official daily La Gaceta, we have come across two things that warranted our attention because of involving expropriation of real estate through eminent domain, according to the JGRN [Junta of the Government of National Reconstruction] decrees.

On November 17, Decree No. 865 was published in La Gaceta, based on the article 23 of Decree No. 388 of May 2, 1980 which considers real estate of Mrs. Miriam Hebé Incer de Escola to be "eminent domain".

And on December 18, 1981, Decree No. 906 of the JGRN was published wherein the properties of Mr. Roger Teran, located in the district now known as "El Combatiente Desconocido," were declared to be of "national interest."

In the expropriation that was made of Mrs. Incer de Escola's property it is pointed out that:

"The real estate property of Mrs. Miriam Hebé Incer de Escola, located at Las Sierras, Km 10 y medio carretera a Masaya, Department of Managua, with an area of 8,263 sq. meters, is declared to be in eminent domain for reasons of security for defense of the Revolution."

As to the expropriation of Mr. Roger Teran's property, no further explanations are given in the official diary, for it reads as follows:

"Two properties of Roger Teran, located to the south of the city of Managua, in the "El Combatiente Desconocido" district are declared to be in national interest." This district is located some two kilometers to the south of the Centroamerica high school and on one of the expropriated lots there is a magnificent residence which, according to reports, figures among the five best ones in Nicaragua.

For both expropriations the Ministry of Justice was named as executor and the form of payments will be made with bonds that will be issued who knows when to Mrs. Escalona in accordance with the law and in the case of the expropriation against Teran, it will be made in the same way or else "by trades with any State property, securities or any other form of payment. The form of indemnization will be determined by the executor.

Note: We ask the Ministry of Justice what might be the "national interest" that one of the most luxurious residences in Nicaragua will offer? Who will enjoy that "national interest"?

And with regard to the other expropriated home, how is the Revolution defended by taking a lady's property away?

[From La Gaceta Official Diary, Managua, Dec. 18, 1981]

DECLARATION OF EMINENT DOMAIN—DECREE No. 906

The Junta of Government of National Reconstruction of the Republic of Nicaragua in use of its powers, does decree:

Art. 1. Two properties located to the south of the city of Managua, in the "El Combatiente Desconocido" district, owned by Roger Terán Balladares, are declared to be in Eminent Domain, and are described as follows:

(a) lot with all existing improvements, with an area of 11,522.72 sq. meters equivalent to 16,344 sq varas, that is located in the western part of the main estate from which it was detached, is comprised within the following boundaries: North: Land of Rolando Porras Bermúez; South: Lands of Rolando Porras Bermúdez; East: Land of Roger Terán Balladares and West: Carretera que conduce a las Nubes; registered under the number 70.187, Volume 1.185, Page 240, Entry 1 of the Book of Properties, Federal Tax Section of the Public Registry of the Department of Managua; and (b) lot with all its improvements, which originally had an area of seven manzanas, but which, because of successive subdivisions, the last of which is that of the lot described in the foregoing clause, was reduced to 24,198.80 sq. meters, equivalent to 34,323.40 sq. varas, whose

original boundaries were the following: North: lot of Juan Larios and Antonio Conde; South: lot of Cornelio Gonzáalez; East: estate of Jacinto Sánchez and Juan Pablo Dávila and West: land of Natalia del Carmen Vásquez, formerly of Juan Antonio Silva and Juan Alonso: registered under the number 2.006, Entry 9, Pages 210, 211 and 216, Volume 113, Column of Registrations, Federal Tax Section, Book of Properties of the same Public Registry.

Art. 2. The Ministry of Justice is named executor for the case of expropriation and everything related to the acquisition of the Property Transfer Taxes of this project, before whom, within a period of fifteen days, the person who considers that his rights are affected, must appear for the purpose of reaching an agreement.

Art. 3. In case of expropriation the indemnization can be made through state bonds, trades with any State property, securities or any other mode of payment. The form of indemnization will be determined by the executor.

Art. 4. The present decree will go into effect as of its publication in La Gaceta, Official Diary.

Given in the city of Managua, on the tenth day of the month of December, nineteen hundred and eighty-one. "Year of Defense and Production."

Senator HELMS. Well, I have many questions for each of the four distinguished panelists, but I see the light is on up again.

I suppose that the solution to this is to inquire if I and other Senators may file with you written questions, to which you would respond in writing and let us make that a part of the official record.

Again, I want to thank each of you for your patience with us. We get into this situation occasionally and I am just sorry it happened this morning, but you have been patient and we do appreciate your coming and testifying.

With that, we stand in recess.

[Whereupon, at 12:25 p.m., the subcommittee adjourned, subject to call of the Chair.]

HUMAN RIGHTS IN NICARAGUA

MONDAY, MARCH 1, 1982

UNITED STATES SENATE,
SUBCOMMITTEE ON WESTERN HEMISPHERE AFFAIRS
OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:39 a.m., in room 4221, Dirksen Senate Office Building, Hon. Jesse Helms (chairman of the subcommittee) presiding.

Present: Senators Percy, Helms, Hayakawa, Pressler, and Tsongas.

Senator HELMS. The subcommittee will come to order. This morning the Subcommittee on Western Hemisphere Affairs continues its series of hearings inquiring into the situation in Central America and the Caribbean, including economic, political, and strategic conditions and U.S. policy toward this region.

Today we continue to consider the threats to basic human freedom in Nicaragua. This is a difficult topic to discuss because only recently many voices in our country were raised in support of the Sandinistas during their guerrilla war to take power in Nicaragua.

While I did not join in that chorus—in fact I opposed it—I know that many people of good will lent their support to that movement because of the stated goals of the revolutionaries—a free and open society, pluralism, cultural freedom, and politically democratic institutions informed by free elections.

Obviously, as we look at the situation today, none of those promises has been fulfilled. Many have been disappointed, but there is an eerie silence as well, as reports of brutal murder and forced marches through the jungle, concentration camps and burned villages have emerged, in spite of what amounts to an almost total news media blackout of these reports.

It is regrettable to see this silence, perhaps of shock, perhaps of satisfaction for the cheerleaders of the revolution as one regime after another which they have supported opens up the floodgates of tyranny and the blood begins to flow. It is our duty to bear witness to the truth of such situations, whatever the truth may be.

For that reason we have called these hearings. Today we will hear from a distinguished American, the U.S. Permanent Representative to the United Nations, Ambassador Jeane Kirkpatrick.

Madam Ambassador, we welcome you to the Subcommittee on Western Hemispheric Affairs. We are grateful for your trying so hard to find the time to appear before us. We are especially glad that you could do so this morning.

Ambassador KIRKPATRICK. Thank you, Mr. Chairman.

Senator HELMS. Before you begin, I would like to say for the record how glad I am, and I believe my colleagues will join me in that, that you are the American Representative in the United Nations. The U.N. probably has more ideology, more propaganda and more bombast concentrated in one single building than anywhere else on Earth. In these days many find it difficult to deal with such conditions, because the principles are too weak and they are swept away by the tide of what is variously called public opinion, in which the U.N. specializes.

But let me assure you that your principles and the clarity with which you express them and have expressed them during the past year have made the American people very proud of you and of our country. You have a difficult task and the State Department should certainly qualify your responsibility as hazardous duty.

In any case, you have performed with great distinction and I congratulate you. Before you begin with your statement, Madam Ambassador, I would inquire if the distinguished chairman of the Foreigh Relations Committee, Senator Percy, has a comment.

The CHAIRMAN. I have no statement, Mr. Chairman, other than to thank you very much indeed for holding these hearings. This is an important matter for the subcommittee to be dealing with and it is a matter that we are all concerned about.

I think that your designation of hazardous occupations of combat pay for the U.N. Ambassador is well taken. I do not think we would have appreciated it unless we had had the opportunity, some of us, to serve up there as delegates, what the frustrations are, what the climate is that you work in. I know occasionally we are tempted to just cut it off and set it to sea, as was said at one particular political campaign. But if you did that you would just have to reinvent something like it.

I was encouraged that after Bill Buckley served as a delegate up there, he wrote a fine book supportive of the process, even though he was frustrated, as so many of us are; at what you go through up there. But I do not know of any other way to do it.

Democracy is the democratic principle by which we try to govern ourselves and democracy is frustrating on occasion. We commend you on the tenacity with which you have for the U.S. position and for your appearance here this morning.

Senator HELMS. Thank you, Mr. Chairman.

Senator Pressler.

Senator PRESSLER. Mr. Chairman, may I very briefly commend our Ambassador and say that I think when we talk about human rights we must look at what happened in Vietnam and Cambodia after the Communist takeover. I do not think we hear enough about human rights and what has happened—and I say that as a Vietnam veteran—of what happened in Vietnam and that is currently happening—the holocaust that is going on there.

There is a general assumption on the part of some that things have gotten better in certain countries after Communist takeovers. But in terms of human rights, I hope we are looking carefully at what will happen and has happened in these countries.

Also, I want to commend the Ambassador on her article on Law of the Sea, which I have with me and which I read this weekend.

Senator HELMS. Senator Pressler, I thank you for your comments.

I was thinking over the weekend, Mr. Chairman, that by the year 2000 there will be more than 100 million people between our southern border and the country of Panama. Now if you go back and look at what happened when the Communists took over Southeast Asia, and the boat people, a minimum of 10 percent of the Vietnamese people were willing to climb onto leaky boats just to try to escape that tyranny.

Now the people in Central America, if we allow communism to take over that region, will not have to use boats. They can use their feet. They can be "feet people." And if you take the 10 percent that occurred in Cambodia and apply it to the 100 million people living between our borders and Panama, then you are talking about 10 million people who will be struggling to get into this country—people of all types.

So those in our population today who would suggest that we have no interest in what is going on in Nicaragua and Salvador had better think again.

Senator Hayakawa, do you have a comment?

Senator HAYAKAWA. I do not know what questions have already been asked——

Senator HELMS. We have just begun.

Senator HAYAKAWA. You have just begun.

Senator HELMS. We are awaiting the statement of the distinguished Ambassador.

Senator HAYAKAWA. Good morning, Ambassador. It is a very great pleasure to welcome you here. You know I love you.

Senator HELMS. That makes it unanimous and you may proceed with your statement. Oh, I am sorry. I did not see Senator Tsongas come in.

Senator TSONGAS. Speaking of repression, Mr. Chairman. [General laughter.]

Senator HELMS. Would you repeat?

Senator TSONGAS. I was just wondering whether those of us on this end of the table may also have an opening statement.

Senator HELMS. Well, you ought not to sit way down in Alexandria. Come on up here to Arlington and sit by us. [General laughter.]

Senator TSONGAS. Mr. Chairman, I think you would find it more comfortable if I remain on the far left of you on this particular issue. [General laughter.]

Senator HELMS. Well, I never had any doubt about your doing that in any case. [General laughter.]

Senator TSONGAS. I will give you that last one, Mr. Chairman.

I think one of the problems with the discussion of human rights in this country is that conservatives enjoy speaking out against human rights violations of leftwing governments and liberals enjoy speaking out against human rights violations of rightwing governments. Consistently, human rights is not an issue in and of itself with its own worth, but rather it is used as a weapon to make a point either on one side or the other.

I remember a discussion when I was in the House, and I believe Senator Pressler was there at the time as well. Congressman Marriott of Utah, who was a conservative, exemplified my point on one issue that he felt very strongly about. As a conservative he felt he would

have to speak out against human rights violations of rightwing governments and did so.

I remembered that. I remembered that because I felt that was a true commitment to human rights. I would like to say I understand what the purpose of this session is today. But I think those of us who are liberal also have a responsibility to speak out against the violations taking place in Nicaragua, particularly as they relate to the Miskito Indians. It seems to me that if human rights is going to mean anything, there is that corresponding responsibility.

So we will discuss that. We will also discuss El Salvador, as well, if we may. I would like to add my voice of concern for what is happening in Nicaragua as it relates to the Indians, and I would hope that the concern expressed today on Nicaragua would also be expressed to other countries—some of whose governments we happen to support. Human rights, I think, is indivisible and it is the obligation of those on either end of the spectrum to speak out against human rights violations wherever they may happen to occur.

I commend the chairman for raising the issue of Nicaragua and I would hope that it would be a precedent for some of the other governments in that part of the region as well. Thank you, Mr. Chairman.

Senator HELMS. Thank you, Senator.

Madam Ambassador, you may proceed.

STATEMENT OF HON. JEANE J. KIRKPATRICK, U.S. PERMANENT REPRESENTATIVE TO THE UNITED NATIONS

Ambassador KIRKPATRICK. Mr. Chairman, Senator Pressler, Senator Hayakawa, Senator Tsongas, it is, for me, an honor as well as a duty to respond to an invitation to testify before a committee of the Congress. The Congress role in making and overseeing American foreign policy is, and I have always believed should be, exceedingly important.

I have been asked to discuss today the extent to which the practices of the Government of Nicaragua do and do not respect the human rights of Nicaragua's citizens. Such a discussion requires a minimal understanding, I think, of what human rights a government may be reasonably expected to respect as well as reliable and accurate knowledge of a government's policies and practices.

Mr. Chairman, I have argued elsewhere that rights should not be confused with wishes, or goals; and that the list of human rights cannot be indefinitely lengthened like a shopping list in a global supermarket. I believe such political and legal rights as free speech, press, religion, freedom of assembly, freedom from arbitrary arrest, and the right to due process are the fundamental human rights. They are the prerequisites to other social and economic goods.

These basic political and legal rights share several important characteristics. Above all, they depend on restraint in the use of government power. To observe the rule of law, to permit citizens to meet together and speak freely, it is not necessary that an economy be industrialized, a standard-of-living high, a people literate or urban. It is only necessary that the government not use its coercive power to ban newspapers, break up meetings, arrest opponents.

Governments, we should be clear, do not—and I believe should not—control all kinds of power in a society. They cannot, therefore, be held

responsible for all the ways in which power is exercised. But governments are responsible for their own decisions and policies. It is not reasonable, therefore, to hold a government responsible for the level of industrialization, its rate of economic growth or productivity in a society, unless, of course, the government has claimed the exclusive right to manage the economy.

It is entirely reasonable to hold a government responsible for its own decisions concerning arrest, trial, detention; for its own policies concerning elections and opposition; for its own practices vis-a-vis other sectors of its society.

Unfortunately, for the people of Nicaragua the policies and practices of that government demonstrate a pattern of systematic repression which began soon after the Sandinista triumph in July 1979, and has intensified with the progressive consolidation of power by Nicaragua's one-party dictatorship.

This is neither the time nor place to review the events and policies that culminated in July 1979 in the defeat and resignation of Anastasio Somoza, the collapse soon thereafter of the transitional government, and the accession to power of the Sandinista Directorate—though I believe there remain important lessons to be learned from these events. We are concerned here today with the consequences of Sandinista rule for the freedom, security and well-being of Nicaraguans.

In the past 2½ years, Nicaraguans' hopes for greater freedom, democracy and security from government tyranny, which hopes were very widespread, have very nearly died as the new rulers moved expertly first to establish and then, progressively, to exercise control over the various sectors and institutions of Nicaraguan society.

The pattern is familiar to all students of total power. The revolution has been conducted according to plan. The extension and consolidation of power has followed the pattern of coup d'etat by installments. That phrase, by the way, which I think is particularly apt—"coup d'etat by installment"—is Konrad Heiden's description of the Nazi seizure of near total power over German society.

One step at a time the Sandinista Directorate moved against the fainthearted bourgeois democrats in their ranks—Robelo, Chomorro, Pastora, Cruz—waiting while they resigned in frustration and disappointment.

One sector at a time they have moved against Nicaraguan society—no seizing radio and television stations, newspapers, no nationalizing new industries, now tightening control of the economy, now moving against independent trade unions, now banning a bishop from access to television, now organizing and reinforcing the Sandinista Defense Committees that bring the revolution, with its rewards, demands and surveillance, into every neighborhood.

Along side it all came a dramatic, extraordinary expension of Nicaragua's Army, National Guard, and its international role. Today's National Guard is many times the size and strength of the one that reinforced Somoza's regime. It reinforces a political machine that is many times more sophisticated than Somoza's.

A political scientist describing the Nazis' consolidation of power in a single German town noted, concerning that process of destruction of society and politicization of human relations: "Hardly anyone in

Thalburg in those days grasped what was happening. There was no real comprehension of what the town would experience if Hitler came to power, no real understanding of what Naziism was."

It is no easier to understand what is happening to Nicaragua.

Mr. Chairman, there are serious obstacles to a clear assessment of the practices relevant to human rights in Nicaragua. We are confronted in Nicaragua with the familiar patterns of double speak with which would be totalitarian rulers of our times assault reality in the attempt to persuade us—and, doubtless, themselves—that making war is seeking peace, that repression is liberation, that a free press is a controlled one.

Thus, on February 19, 1982—that is, just last month—Daniel Ortega solemnly assured the opening session of an international conference of political parties—COPPAL—that the forced transfer and violence of Miskito Indians was naturally carried out only to protect their human rights.

Ortega said: "We have had to transfer them"—that is. the Miskitos—"from the Rio Coco River banks on the border of Honduras, to our country's interior, investing efforts and resources that cost blood to the Nicaraguan people. True, there have been some dead in the north, in Nicaragua's Atlantic zone."

"We have had to resort to drastic measures to protect the rights of those Nicaraguans," said Ortega.

The world misunderstood the systematic destruction of the homes, villages and economies of the Miskito Indians, Ortega claimed. The government was only protecting them against counterrevolutionaries.

Furthermore, a few days earlier, Radio Sandino had explained: "Those communities located on the banks of the Coco River lived in neglected conditions since it is practically impossible to build roads in the area due to the swampy land. Also the soil is not very fertile for agriculture and cattle raising. The situation is worsened by the constant floods which produce very low crop yields that are not even enough for the community's subsistence. As a result of this situation, all the advantages that they can now be given in the new settlements could not be offered to them."

Freedom from floods, freedom from bad soil and low crop yields, freedom from counterrevolutionaries, freedom from responsibility for their own lives—these are the human rights cited by Nicaragua's Government to justify their claims to decide by force where the Miskito Indians should live, when they should move, in what language their children should be educated, which dangers they should confront.

Thus, the dialectic of revolution unfolds. Liberation has already produced its antithesis in Sandinistan Nicaragua. Old familiar arguments are invoked to justify new, more effective repression.

Interior Minister Tomas Borge made a very long speech recently, on January 27. attacking the only newspaper in Nicaragua which is not yet wholly controlled by the government. Borge's speech provides a useful compendium of the contemporary version of classic arguments against a free press.

First, Borge postulated the struggle and invoked foreign enemies against which it was necessary to struggle. Then, Borge identified as

"the most important instrument of all the enemies of Nicaragua and the revolution: The newspaper La Prensa." The offending newspaper is thus defined not as an expression of Nicaraguan opinion but as an expression of the enemies of Nicaragua.

Second, Borge explained that even though La Prensa undeniably is the most widely read newspaper in Nicaragua, its "circulation is not a demonstration of the people's support." "The fact that people buy cigarettes doesn't mean that cigarettes are good for their health. That they buy drugs does not mean drugs are good." The appeal of La Prensa, he argued, is like that of pornography—"political pornography."

Still, La Prensa functions. Its voice, which daily condemned the arbitrary use of power by the Somozistas, remains the symbol of independent and continuing hope for a democratic Nicaragua. But the campaign of intimidation against it is unremitting—government edicts, divine mobs, repeated forced temporary suspensions—on July 10, July 29, August 29, and intermittently through the fall.

On January 13, 1982—that is, this year—combined actions of the military and the divine mobs closed La Prensa for 3 days after its editorial offices were attacked and the homes of its editors, Pedro Joaquin Chomorro and Jaime Chomorro Barrios, were defaced.

By 1981, the foundation of Sandinista control over the symbolic environment had been established. The government controlled radio, television, and newspapers other than La Prensa. Moreover, laws were in place making it a crime to criticize the government without its authorization, to organize or promote candidacies for the elections which had, by now, been postponed until 1985.

The year 1981 marked new levels of repression in other spheres as well. Intimidation and control of the economy was extended, various private sector leaders were arrested, deported or imprisoned, culminating in October in the sentencing of three chief private sector leaders guilty of criticizing the government's management of the economy.

Proving they were hostile to all institutions autonomous of the state, the Sandinistas moved against labor as well as business, fiercely attacking Nicaragua's independent trade union movement, the CUS, which responded by also withdrawing its participation from the Council of State.

The most important development in repression against the various sectors of Nicaraguan society in 1981 was its progressive reliance on vigilante mobs to intimidate and punish persons and institutions who resisted conforming to the new orthodoxy. The MDN and the Social Democrats, two of Nicaragua's principal opposition parties, repeatedly were the victims of semiofficial mob violence. MDN leader Alfonso Robelo's home was also attacked by the citizen groups who could count on understanding and support from the government.

Concentrating on new human and institutional targets did not mean Nicaragua's revolutionary government had lost interest in its old adversaries. No one knows the precise number of Somoza's national guardsmen who still languish in Nicaragua's prisons. Five thousand is a conservative estimate of national guardsmen who, convicted by special tribunals, remain in prison. Many observers believe that closer to

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14,000 Somosistas remain in Nicaragua's overcrowded, underfed prisons.

When in September the government declared a 1-year state of social and economic emergency and declared a number of broadly defined acts to be crimes, the government's power for moving legally against its critics was greatly expanded.

By the end of 1981, Nicaragua's one-party dictatorship had both expanded and consolidated power over the diverse sectors of Nicaraguan life. Totalitarian control had not yet been established—and has not yet been established—but the process of eliminating and intimidating opponents was far advanced. So was the parallel establishment of new institutions that could penetrate and saturate the society with the teachings of the revolution.

The most dramatic and violent manifestation of the Sandinista effort to eliminate diversity, eradicate autonomous social groups and bring the whole society under central control was the campaign against the people, the institutions and the communities of the Miskito, Sumo, and Rama Indians of Nicaragua's Atlantic coast.

The first moves against these largely autonomous, self-governing Indian communities took place in July 1979, when an effort was made to replace the 256 Council of Elders with Sandinista defense committees. Prohibition of lumbering, a major economic activity, arrest of a Miskito leader and his later death, expropriation of Indian lands, the imposition of Spanish in schools and various other initiatives against the cultural and economic survival of the coastal Indians followed. All this proved to be a preface, however.

In the last months the Nicaraguan Government has carried out a campaign of systematic violence against the Miskito Indians, burning their villages, destroying their institutions, forcing their evacuation and resettlement, killing those who resist, driving thousands into exile in Honduras. Of this campaign, Freedom House declared, "Circumstantial evidence clearly suggests that the central government has embarked on a policy to eradicate the indigenous peoples of the coastal area."

The Indian communities against whom these brutal measures have been directed have a long history of peaceful, cordial relations with Nicaragua's previous governments, who granted them semi-autonomous status—that is, the right to preserve their way of life in their own communities.

The Sandinistas' violent offensive not only spelled tragedy for the Miskitos. It also symbolized the Sandinistas' hostility to any group which showed a capacity and a determination to resist the transformation and incorporation into the all new revolutionary society, culture, economy, and state.

Sandinista efforts to justify their policy as good for the Indians constitutes a forceful contemporary reminder of the human costs of revolutionary elites ready to sacrifice untold thousands or millions of men, women, and children to their fantasy concerning what is good for mankind.

In a statement of February 18, 1981, Nicaragua's bishops have graphically described the tragedy of the Atlantic coast Indians. Their

statement provides a succinct, moving commentary of this massive violation of human rights:

They said:

> We recognize the governing authorities' right to undertake necessary measures to guarantee the defense and the integrity of the territory of the nation. We also recognize the autonomy of the state and its right to determine the implementation of emergency military measures in all or part of national territory in order to defend the country.
>
> Nevertheless, we wish to remind everyone that there are inalienable rights that under no circumstances can be violated and we must state, with painful surprise, that in certain concrete cases there have been grave violations of the human rights of individuals, families, and entire populations of peoples.
>
> These include: relocations of individuals by military operations without warning and without conscientious dialog; forced marches, carried out without sufficient consideration for the weak, aged, women, and children; charges or accusations of collaboration with the counterrevolution against all residents of certain towns; the destruction of houses, belongings, and domestic animals; the deaths of individuals in circumstances that, to our great sorrow, remind us of the drama of other peoples of the region.
>
> Such are the facts that compel us to denounce vigorously such attitudes of those who have the power and force because they must be the first to guarantee observance of these human rights. We urge the competent authorities to take the necessary disciplinary measures to prevent a repetition of such events in the future.
>
> On the other hand, we must remember that it is good to maintain the national integrity and that it is a right and historical duty of all Nicaragua to protect the nation's territorial integrity. We must also remember that it is a right and duty to preserve the legitimate possession and use of the riches of the natural, traditional, and cultural patrimony of the indigenous people of the Atlantic coast. In these we encounter and recognize with pride not only the ancestry of our race, but also the identity of our ancient, prehispanic nationalities.

That is the end of the bishop's statement.

As we know, Mr. Chairman, the tragedy of Nicaragua's Indians is by no means unique in our deeply troubled times. Governments with totalitarian aspirations to control and transform the whole of society, and remake human nature, cannot bear peoples with strong convictions and settled communities. Jehovah's Witnesses, gypsies, Hmong, Bahai, Afghans—these and other groups have run afoul of one or more of our century's would-be totalitarians.

Unfortunately, the whole pattern of repression that has developed in Nicaragua is all too familiar in our times—revolutionary plans, violent overthrow of a preceding government, postponed elections, controlled press, arrested opponents, accelerated military build-up, surveillance, intimidation, economic failure, politico-military expansion.

This sad scenario describes the spread of tyranny in our age. It should no longer surprise us that the tyranny calls itself liberation. We have all had plenty of opportunity to learn that in our times tyranny is always clothed in lies. As Solzhenitsyn noted: "Violence does not and cannot exist by itself. It is invariably intertwined with the lie" since it must hide behind "the sugary words of falsehood."

Thank you, Mr. Chairman.

Senator HELMS. Thank you, Madam Ambassador. We will take a 10-minute round of questions, and I ask the staff to run the clock.

Madam Ambassador, your statement is excellent and it encourages a perspective which I believe has been far too long ignored or even

pushed aside. The question of human rights is a little bit like motherhood. We are all in favor of human rights and my own perception is that it has become a propaganda tool in much of the world with many of the governments.

For example, Pravda carried a piece about the Senator from North Carolina 2 or 3 weeks ago and, first of all, they had me from South Carolina. They discussed the city of Greensboro, S.C. I think about the only thing that they had right was my name and, not reading Russian, I am not sure they spelled it right.

But in any case, there was one veiled reference after another to bigotry in my region of the country. There was an attack on my father, who has been dead 8 years. I thought as I read that story about how Pravda also declared during the Atlanta murders that this was typical of the racism that exists throughout the South, and it turns out that the defendant, as well as eight of the jurors who convicted him, are black.

I suppose Pravda will have nothing to say about that, nor will others who have made accusations about human rights in that area and in other instances.

What I am leading to, Madam Ambassador, is the countries represented in the United Nations which talk so much about human rights, and they have not had a free election in their own countries in decades. I do not know what the percentage would be, but I would imagine that it is possible that at least half of the countries represented in the United Nations have not had free elections—countries whose systems are fundamentally tyrannical, who systematically kill and imprison and enslave and otherwise abuse their subjects.

Now I would ask you, as Ambassador to the United Nations, how do you assess the manner in which these countries and their representatives treat the human rights question? Is it propaganda or is it genuine?

Ambassador KIRKPATRICK. Yes, Mr. Chairman. I think that one finds in the United Nations, as in political life generally, all kinds of use of the language and concepts of human rights. One finds a good many countries and their representatives who are quite prepared to use the language of human rights demagogically.

As we know, as you pointed out, there is no kind of political horror in our times that has not been clothed in the language of rights. That would include facism, communism, racism, and all kinds of isms that deny human freedom and human rights in our times.

There are also people in the United Nations and countries in the United Nations which take the question of human rights and its preservation very seriously. Obviously we try very hard to work with those countries who are interested in the expansion and preservation of human freedoms and law and to work against those countries which want to use it demagogically.

I have suggested that I think the record of U.N. bodies in the human rights field is shot through with double standards and hypocrisies. We are working all the time with other countries interested in genuinely expanding human rights and exploring them to try to render the United Nations' treatment of human rights or the treatment of human rights in U.N. bodies more honestly, more straightforwardly, and more useful to the defense of basic political and legal rights of people.

I hope that addresses your question.

Senator HELMS. Solzhenitsyn came to my home in 1976 and we spent several hours together. Echoing your own comments, he said that the Soviets cloak their deceit in sugary words. I was mindful of that as you made your statement.

During the fall session of the General Assembly the third committee dealing with, among other matters, human rights, heard criticism of human rights abuses in certain Latin American countries by such countries as the Soviet Union and East Germany. I am amazed at the hypocrisy manifestered by such attacks, when perpetrated by proven butchers.

They sit back there in the United Nations and they condemn specific countries, all of which happen to be in favor of freedom. The countries they condemn are not perfect, but they are allies of the United States, while their detractors, enemies of the United States, have brought tyranny and oppression to levels never before known in history. Doesn't this indicate a hypocritical and propagandistic tendency to exploit human rights discussions in the United Nations?

Ambassador KIRKPATRICK. Yes, on the Solzhenitsyn comment about tyranny clothing itself in the law, I think that is one of the absolute hallmarks of tyrannies that are most specific to our times.

I think, as a matter of fact, as Senator Hayakawa has pointed out repeatedly in his own work, the pathway to tyranny is almost always clothed in and prepared with an attack on reality, actually, with an attack on reality through our use of language, because it is, after all, words with which we try to understand reality and communicate with each other.

It is words in the United Nations which sometimes result in an almost total falsification, in fact, of reality and sometimes the reality that is falsified is the reality of human rights.

We still have not, for example, at Human Rights Commission meeting in Geneva, which has now been underway for a month, succeeded in carrying out any discussion of repression in Poland whatsoever. Surely, the massive Soviet repression of Poland today is one of the most important event in the human rights field which has occurred in recent months.

I would say that the repression of Poland and the repression of the Miskito Indians are almost equally urgent tragedies, and neither one of those has made its way onto the agenda of the Human Rights Commission meeting in Geneva.

We are trying very hard on both of them, by the way, and will continue to pursue them. What do you do in an institution where a great many of the members do not share your values but are in fact committed to their destruction? You do your best, I think. I think we try to state our case clearly. We try to be honest.

By the way, I agree wholly with Senator Tsongas about the importance of pursuing human rights violations of all kinds from all sources. We try to cooperate with those countries with whom we do share values and to maintain a sense of perspective.

We have not made very much progress, frankly, in the year that I have been in the United Nations on these questions. But we are trying hard, and we think we are better situated for progress next year.

Senator HELMS. Good.

My time is up.

Senator Tsongas.

Senator TSONGAS. Thank you, Mr. Chairman.

Let me begin, if I may, by joining forces with those who are speaking out against what the Government of Nicaragua is doing to the Miskito Indians.

I happen to believe that there are violations going on. I think those violations are not justified. And it seems to me that those of us who support better relations with Nicaragua have an obligation to send a message. If this kind of oppression and violation of human rights continues, there will be a price to be paid among those in this country like myself who are more pro-human rights than perhaps the Government of Nicaragua would suspect.

I attended a coffee that Senator Helms sponsored Thursday afternoon with Stedman Fagoth Mueller, who I found very compelling. I would just like to indicate for the record my grave concern for what is happening to the Indians.

Just one point, speaking of Fagoth Mueller. He indicated to us that the Indians had indeed been supportive of the Sandinistas, as opposed to the Somoza regime, which is at odds with what you indicated in your statement. I do not know who is right, but I just point that out for the record. Their prior support for the Sandinistas would make the argument even more compelling in terms of why the Sandinistas should not be violating the rights of the Miskito.

The second point I would make is that dealing with human rights is really a dilemma. I have read some of your comments in the last couple of weeks about that. Human rights violations are nonideological and they happen on both ends of the spectrum.

I would like to have inserted into the record a list that Freedom House published on the state of human rights and freedom in the world, going country by country, indicating who is doing well and who is not.

I would point out that 7 is the worst, and most of the 7's come from Communist regimes. I would also point out if 1 is the best and the 7 is the worst, Nicaragua scores6. Chile and Argentina score 6, and Guatemala scores 6. So I would hope that we would also have hearings on those nations as well.[1]

Let me run something by you, Ambassador, that you need not respond to. It is very speculative, and I do not present it as anything more than that.

I happen to think something is going on. Let me run a scenario by you and see whether you would care to comment.

If you accept the fact that the situation politically and militarily in El Salvador is deteriorating and you accept the fact that the President in his speech the other day personalized El Salvador, he attached himself personally to our policy in El Salvador and therefore raised the stakes. If you will, accept the fact that there is no U.S. support—by "U.S." I mean American people. There is no support among the American people for true involvement in El Salvador. The recent Newsweek magazine figures indicate that 89 percent of the American people opposed. If you accept the fact that the real powerful strain in this country is anti-Castroism and that there are even those who

[1] See p. 91.

are opposed to U.S. involvement in El Salvador that are also opposed to what Castro is doing in Cuba. Given that, if the policy of the administration is to stop the decline in El Salvador and because of the President's speech there is a greater need to do that, what would you do?

Ambassador KIRKPATRICK. I missed the question, the last sentence.

Senator TSONGAS. I have not gotten to the question yet.

Ambassador KIRKPATRICK. Very well.

Senator TSONGAS. I am just posing a hypothetical scenario.

So we have been working in my office to say, all right, if we were in their shoes, what would we do, assuming these given. Let me tell you what we have come up with. And as I said, I prefaced it by saying it is merely speculation and nothing more than that.

If I had to tap into the political dynamics in this country, what I would tap into is the anti-Castroism. I would not tap into any U.S. concern or desire to get involved in El Salvador, because it does not exist.

Second, I would want to stop the flow of arms into El Salvador. And I for one accept the fact that arms are flowing through Nicaragua. How much is debatable, but at least there are some that are flowing through.

What I would do is this: I would, first of all, discredit Nicaragua. And I would do it with the very handy mechanism given to me, by of all people, the Sandinistas, that is, their human rights violations imposed upon the Indians, the Miskito Indians.

Second, rather than sending in troops, what I would do would be to use my naval power to choke off both Puerto Cabezas and Bluefields, where the arms are flowing into from Cuba. And I would do so in a way that would invoke the Rio Treaty.

The President, in his speech, referred to the Rio Treaty, which, by the way, is what we used in the case of the quarantine of Cuba. And after the reference to the Rio Treaty, he said, let our friends and our adversaries understand that we will do whatever is prudent and necessary to insure the peace and security of the Caribbean area.

By the way, in addition to Puerto Cabezas and Bluefield, I would also include a blockade of the Gulf of Fonseca. That would stop the flow. The object of our actions would not be El Salvador, but rather would be Castro, Nicaragua, the recently discredited Nicaragua. That would have much more public support than sending troops into El Salvador and perhaps would give us time to allow the Duarte regime to consolidate its position.

How far off am I? [Laughter.]

Ambassador KIRKPATRICK. I do not know, but I think that is a very interesting scenario, Senator Tsongas, which I trust will be communicated to those who make policy in the administration.

Senator TSONGAS. I just did. [Laughter.]

Ambassador KIRKPATRICK. I would like myself to comment on just a couple of things, if I may. On the question of the Miskitos and their support for the Sandinistas, let me say I did not mean to say in my statement that the Miskitos supported the Somoza government. If I said that, then I misspoke. I wrote the statement myself, so I take full responsibility for it.

But what I meant to say was that they lived in peace with the Somoza government, which basically left them alone in a kind of semi-autonomous condition.

My understanding is that there was a very brief period before the fall of the Somoza regime when the Miskito Indians, the Indians of the Atlantic coast, like virtually all other Nicaraguans, did, in fact, support the revolution against Somoza and advocated his fall. This was relatively short-lived, however. Fundamentally, I do not believe they have been very deeply involved in the politics of national Nicaraguan life, as I understand it.

Regarding the question about discrediting Nicaragua and the timing, for example, of the Nicaraguan Government's assault on the Indians on the Atlantic coast, the fact is, of course, that I believe that there is a kind of dynamic of repression that one sees operative in a society whose rulers seek something approximating total control of the social life, and that that dynamic, which has brought the massive repression of the Indians of the Atlantic coast now operates strictly on the Nicaraguan Government's own timetable.

The only reason that the U.S. Government or that I or that anyone here can point to the massive cultural and physical repression of the Indians is that that has been taking place in just the last months, as you know.

Senator TSONGAS. I have no quarrel with that.

Ambassador KIRKPATRICK. Why now? Well, because now is when it has happened. It happened in the last few months.

Senator TSONGAS. I do not disagree. I grant you that totally.

Ambassador KIRKPATRICK. By the way, I have the highest possible regard for the work of Freedom House in the human rights field. They are my own most basic reference group, if you will, in the human rights field.

Senator TSONGAS. That is why I used them.

Ambassador KIRKPATRICK. I am pleased to see you referring to them and using their work.

The chart of rankings to which you just referred, I would point out, was compiled last year before the massive repression of the Atlantic coast Indians. I have no doubt that Nicaragua will descend even lower on the Freedom House rankings next year. And it will not be because Freedom House has changed its mind; it is because the policies have become much more repressive.

I do not know what to say about your scenario so far as U.S. policy is concerned. Obviously, it has some merits. It is a scenario which addresses the problem of continued efforts at destabilization in Salvador, which efforts are aimed, of course, at installing in Salvador a government like that in Nicaragua.

By the way, in case anybody doubts that, it was demonstrated when Daniel Ortega, a chief commander of the Nicaraguan Government, spoke at the United Nations this fall during the General Assembly. He brought along both the military and civilian leadership of Salvador's insurgents and introduced them from the floor of the General Assembly where they got, by the way, a standing ovation from a substantial number of people present.

The United States does not welcome them. And I suppose very few Americans welcome any such development, for the sake of the El Salva-

dorans and for the sake of the United States as well. Neither does anybody have any desire or intention of sending any U.S. troops.

What we are interested in doing, obviously, is providing the kinds of help which we are able to provide short of any kind of direct U.S. military intervention, which the Salvadoran Government does not desire any more than we do, by the way.

The use of various kinds of technological power and superiority to assist in choking off the flow of arms to the extremely well supplied military insurgents in El Salvador would strike me personally as a feasible kind of approach.

Obviously, if one wanted to cut off or discourage the flow of such arms, then one would pay particular attention to those routes by which in fact they are entering the country, which would, for example, include the Gulf of Fonseca which is currently a route through which a great number of arms pass.

I do not think anybody is contemplating a blockage at this stage. I do not think you suggested a blockade. There are various kinds of electronic technological power available to the United States which I think can be useful in determining at least what is happening.

Senator TSONGAS. For example, what would we use other than naval power?

Ambassador KIRKPATRICK. Well, do you mean what could the United States do?

Senator TSONGAS. You say we would use our technological advantage.

Ambassador KIRKPATRICK. Oh, we take a lot of pictures, Senator Tsongas, as I am sure you must know. We do a lot of monitoring of airwaves and this sort of thing, by which people, who are much more expert in those matters than I, are able to chart arrivals and departures of various kinds of cargoes, determine communications grids, and this sort of thing.

Senator TSONGAS. You mean the press takes pictures of politicians, but it does not stop us from doing what we are doing. Why are we taking pictures of the arms flow? Stop the arms flow.

Ambassador KIRKPATRICK. We take pictures of a lot of things that we do not do anything about, as I understand it, Senator Tsongas. We take an awful lot of pictures.

By the way, on the Rio Treaty, I think that anyone who thinks about the security of the nations of the hemisphere would be well advised indeed to think about the Rio Treaty and to consider it as an instrument of maintaining hemispheric security against various kinds of foreign-based threats.

The Rio Treaty, after all, was signed 2 years before NATO was signed. And it is a very important instrument of collective security in the hemisphere.

Senator TSONGAS. Thank you, Mr. Chairman.

Senator HELMS. I am very interested in Senator Tsongas' line of questioning myself, but his time has expired.

Senator Pressler.

Senator PRESSLER. I yield to Senator Hayakawa.

Senator HELMS. Senator Hayakawa.

Senator HAYAKAWA. Thank you, Mr. Chairman.

Madam Ambassador, I listened to your paper with great interest. I feel that it was very instructive, and I do have some questions of you.

Has the Organization of American States taken a position on the violations of human rights in Nicaragua? What about the Independent Permanent Commission on Human Rights? Has it been permitted to function freely there?

Ambassador KIRKPATRICK. Intermittently, Senator, as I understand it. There has been a recent public invitation issued by one of the leaders of the Sandinista government to the U.N. Human Rights Commission to visit and observe, even including on the Atlantic coast. Up to now, by the way, no human rights groups, so far as I am aware, have been permitted free access to the Atlantic coast and an opportunity to observe the whole Indian resettlement.

Senator HAYAKAWA. None?

Ambassador KIRKPATRICK. None. That is, to the very best of my knowledge.

Senator HAYAKAWA. What is the relationship between the Roman Catholic Church and the Government of Nicaragua? Are they at odds with each other?

Ambassador KIRKPATRICK. Senator Hayakawa, as you may have noticed, I read the statement from the episcopate of Nicaragua. I read someplace that someone said there were more priests in the Nicaraguan Government than there had been in any government since Calvin's Geneva; that is, clerics.

There are three priests who, I think. are actually members or ministers of the government, including, of course, Foreign Minister D'Escoto. On the other hand, there are a great many tensions and deteriorating relationships between the leadership of the Catholic Church in Nicaragua and the government.

Archbishop Obando y Bravo, for example, has had a deteriorating relation with the government. He was, of course, the leading cleric to whom I referred when I said that he was no longer permitted access to television. He is no longer permitted to say mass on Nicaraguan television.

Senator HAYAKAWA. He has been critical of the regime?

Ambassador KIRKPATRICK. He has been critical of the regime. He was, in the beginning, really quite hopeful and supportive about the regime, and he has since become quite critical of the regime in both public and private arenas. So have the other bishops of Nicaragua.

Senator HAYAKAWA. How about church groups in the United States, to what degree do they support the Sandinista government?

Ambassador KIRKPATRICK. I am not an expert on this, let me hasten to say, and I do not know whether the U.S. Bishops Conference has made any statement recently on the Nicaraguan Government. I am not aware of it if they have.

Senator HAYAKAWA. All right, let me go back to another question.

Ambassador KIRKPATRICK. Certainly, the Bishops Conference in this country is more supportive of the insurgents in El Salvador than the bishops of El Salvador. I can say that.

Senator HAYAKAWA. Yes. Now, in my notes here I have an item regarding the fact that there are 4,500 former National Guard members who are political prisoners in Nicaragua. You gave the figure of 5,000. Then on top of that you said there are another 14,000 or so political prisoners there?

Ambassador KIRKPATRICK. These are very soft figures.

Senator HAYAKAWA. Yes, I understand these are very approximate figures. Who are the other 14,000?

Ambassador KIRKPATRICK. What I meant to say, Senator, is that the estimate of former national guardsmen and Somoza supporters still imprisoned in Nicaragua ranges from roughtly, I said, 5,000 to 14,000.

I guess, in fact, the State Department human rights report uses 4,500. This is the only publication I know that uses that figure; 5,000 is the more common base figure for the lower end of that estimate.

Senator HAYAKAWA. You referred to them as Somozistas. Those are supporters of Somoza?

Ambassador KIRKPATRICK. Right.

Senator HAYAKAWA. What were human rights like under Somoza? I mean many of us here rejoiced when he was overthrown, because his human rights record was notoriously bad, was it not?

Ambassador KIRKPATRICK. Well, certainly, Somoza was a perfectly clearcut dictator who ran a government which his relatives had run before him. The Somozas ruled Nicaragua for 40 years. During that time, they took a very large share of what was worth having in Nicaragua, quite frankly. There was a good deal of economic corruption. And there was certainly oppression of efforts of anybody who tried seriously to share power in Nicaragua.

Now, there was also, however, more freedom to criticize the government under Somoza than there is today under the Sandinistas.

There was a lot of freedom, pluralism in the media, for example, no effort really to control the educational establishment or the ideological content of education, no effort to control the way of life of, for example, the Indians and various other ethnic subgroups in the population.

So, what one had, I think, was a human rights situation which was not good and probably almost surely not as bad as the current one.

Senator HAYAKAWA. All right. Let me ask you to repeat something you have already said about the use of American naval forces. What were you suggesting?

Ambassador KIRKPATRICK. I was not suggesting anything. I was responding to a comment, an analysis of Senator Tsongas. I said I thought it sounded like a reasonable analysis, in a sense.

The United States is not going to war against anybody. That is quite clear. Let me be very clear about that. And we are not engaging in acts of war against anybody. And I said that I thought that ways that we might help the Government of Salvador protect itself against the really massive onslaught of foreign arms and advisers—and advisers play an enormously important role, too, in that struggle—is by perhaps lending to them, making available to them, some of the technological instruments which we have in certainly greater supply than most other countries.

Senator HAYAKAWA. And that is to prevent or at least monitor shipment of arms or equipment to Nicaragua or El Salvador or both?

Ambassador KIRKPATRICK. Right.

Senator HAYAKAWA. Is that the idea?

Ambassador KIRKPATRICK. Right.

Senator HAYAKAWA. The situation in Nicaragua, how does it compare to the human rights situation in other Central American countries? The way you make it sound, it sounds considerably worse.

Ambassador KIRKPATRICK. Well, actually, I think that the assault on the Indians of the Atlantic coast is probably worse than most human rights violations because it is more massive. It is worse in the sense of being more massive than any other human rights violations that I am aware of in Central America today.

Qualitatively—let me be very clear about what I think about this, though—these are political systems which have been characterized traditionally, historically, and right down to the present, by very high levels of violence.

Senator HAYAKAWA. Yes.

Ambassador KIRKPATRICK. People regularly in these political systems have used what all of us would, I think, consider shocking levels of violence against each other. And there have been certainly what all of us, I think, would consider shocking degrees of violence regularly employed in the political system in these countries.

Regularly, one finds violations of due process, for example, in the penal systems in these countries. And so one certainly does not want to look to any of those traditional regimes for a model of human rights, respect for human rights, or observance of human rights.

Today, I think probably, though, with the massive assault on the Indians of the north Atlantic coast, Nicaragua probably stands in first place as a human rights violator in that very troubled region.

Senator HAYAKAWA. Thank you, Madam Ambassador.

Thank you, Mr. Chairman.

Senator HELMS. Thank you, Senator Hayakawa.

Senator Pressler.

Senator PRESSLER. Thank you, Mr. Chairman.

It has been charged that the United States is partially responsible for the human rights deterioration in Nicaragua, that the United States is hostile to the course of the Nicaraguan revolution, has been the source of a program of harassment and intimidation which includes the encouragement of parliamentary opposition to the Sandinistas inside and outside the country and attempts at domestic destabilization.

It has also been charged that the United States has minimized the many efforts for reform that the Sandinista government has initiated in education, agriculture, health, and other areas.

We are blamed, I guess, for everything. But what is your reaction to that?

Ambassador KIRKPATRICK. Yes, I think we are blamed for everything. Actually, I think that there is very widespread misunderstanding of the attitude and policies that U.S. Governments have followed since the triumph, and before the triumph, of the Sandinistas in July of 1979.

The facts do not support the charge. The facts indicate very clearly, first of all, that the United States encouraged, expedited, and finally, in the last analysis, arranged the departure of Anastasio Somoza and brought a great deal of pressure to bear on his immediate successor, the head of the provisional government.

The United States offered massive aid to the Sandinista government at the time of its victory in July 1979. We offered more than $100 million. Congress immediately passed a $75 million supplemental appropriation to help restore the war-ravaged economy of Nicaragua. Our aid in the first 18 months of Nicaragua was well over $100 million. That was in direct aid.

We also supported very actively the Nicaraguan Government's applications to multinational lending institutions, such as the IDB.

And as a matter of fact, it has been pointed out that U.S.-supported IDB loans to the Sandinistas in the first year and a half of their tenure—we have to remember they have been in power for only 2½ years—totaled more than the total that the IDB had loaned the Somoza regime in the previous 19 years.

So we really have gotten a very bum rap, I think, on the U.S. attitude toward the Sandinista regime in its formative period.

The Carter administration also provided the Sandinistas an Ambassador whom they themselves have praised repeatedly as understanding them and understanding their goals and being sympathetic to their government.

So one could hardly conclude that the United States had caused this repression by its unfriendly or hostile attitude toward the government. It is very significant, I believe, to note that it was also the Carter administration in December, before they left office in 1980, that determined that the conditions in Nicaragua and the policies of the Government of Nicaragua no longer met the standards set by the Congress for continued U.S. economic assistance to Nicaragua and made the decision to suspend that aid.

I just think that that is an argument that will not stand examination.

Senator PRESSLER. Sometimes perhaps we overcommit ourselves in some of our statements in our country regarding other countries. And I could not help but think myself when the President was making his speech at the OAS, that perhaps we should first get the aid package through Congress. We might have a tough time getting it through.

We sometimes bear the burden, but I suppose anything that goes wrong in the Caribbean will be our fault, so to speak, just like this. Really, I think it is a far-fetched argument to say that it is our fault that human rights are being repressed in Nicaragua.

But from your position in the United Nations, do we overcommit ourselves in our statements about what we are going to do? And I know you cannot criticize the President or Secretary Haig, who said we are going to take every step to keep El Salvador from being taken over and so forth.

But do we get ourselves overcommitted and the expectations are much higher than what we are able to deliver, which I think might be the case in the Caribbean plan?

Ambassador KIRKPATRICK. Well, I hope not, Senator Pressler. I very much hope not because I believe that area is colossally important to the U.S. national interest. I think we are dealing here not with an ideological conception and certainly not with some sort of remote problem in some far-flung part of the world. We are dealing with our own border when we talk about the Caribbean and Central America and we are dealing with our own vital national interest.

It does seem to me that the administration's program really is very modest. I certainly hope we will find support in the Congress.

Senator PRESSLER. Before you came to the United Nations you wrote a couple of articles on the issue of human rights and compared what countries do, their attitudes, and so forth. Is it realistic to expect that in the Latin American countries, these tiny countries which have so many tugs and pulls, that they would have a system of human rights that would correspond to our standards—although let me say there are reports on some of our prisons and some of our minorities. I suppose we are seeking perfect standards.

Is it realistic to assume that any government that has to deal with the kinds of problems and the turbulences in those societies, is it realistic to believe that any government in Latin America is or could be meeting higher standards?

Ambassador KIRKPATRICK. Oh, sure, absolutely. Costa Rica, for example, has managed to construct a stable, functioning democracy which has been in place since 1948, and that is a long time by Central American standards for a regime, by the way.

Venezuela, Colombia, Peru, Ecuador—all have functioning democracies today, which regulatory observe the kinds of protections of individual rights and rule of law which I think we so much admire and ourselves aspire to practice.

The governments of that region, in my view, present a very mixed picture because they all have elements of constitutionalism in their tradition. They have elements of popular participation in government. They also have traditions of violence and, above all, of military dictatorship. All these practices exist within the political tradition of the region.

Now obviously we would like to see stable democracies in the region. Whether that is a realistic hope for now is not clear. I think through our policies it is not only reasonable but right for us to do whatever we can to encourage the evolution of constitutional democracies in those regions.

By the way, I do believe that we need to be realistic about what is possible under conditions of war. There never has been a democracy which has emerged in the midst of war. There have been democracies that have emerged after wars, as in Japan and Germany, for example. But in human history there has never been a democracy built in the middle of a war.

Now Salvador is trying to complete the building of democratic institutions in the middle of a war. I think we should congratulate them and support them, and hope for the best. But I don't think that we should expect that after March 28 in Salvador there is going to be a perfectly functioning democracy because even our own democracy doesn't function perfectly in the middle of a war.

Senator PRESSLER. I have just one followup question. You are our Ambassador in the United Nations. There is much talk about a political settlement in El Salvador. Why doesn't the United Nations convene a meeting? Why don't those who advocate a political settlement get together, and then maybe one could apply a settlement to the whole region? Why hasn't a meeting been convened by the Third World about this political settlement—whatever this means?

Could the United Nations settle it?

Ambassador KIRKPATRICK. I doubt it. The United Nations is not very good at arriving at a settlement except where all the parties to the conflict desire a settlement in fact.

There is also in the United States a tradition of nonintervention in the internal affairs of governments. Normally questions of this sort are not brought to the United Nations for conflict resolution except by the government affected.

The Government of El Salvador certainly has not brought to the United Nations any such request. By the way, I would not at all be optimistic about the role the United Nations could play in such a settlement because the United Nations is at its best, in my view, when there is broad consensus exists as, for example, in eradicating smallpox or tuberculosis or something.

It is at its worst when it attempts to resolve a conflict in which there is already polarization and especially great power involvement, as there is in Central America today.

Usually when the United Nations tries to deal with a problem like that, it makes things worse rather than better. Therefore, I think it would not be a practical kind of place to go for help.

Senator PRESSLER. Thank you, Mr. Chairman.

Senator HELMS. Thank you, Senator Pressler.

If the distinguished Ambassador has the time, we will take another 5-minute round of questions. We could go on for another hour or so.

Mrs. Kirkpatrick, in my judgment the most important statement you have made this morning is your explanation that we are dealing now not with just some ideological discussion but with problems which affect the ultimate survival of the United States. I don't think I am overstating that.

I would reiterate that if 10 percent of the people of Vietnam were willing to risk their lives on leaky boats, surely at least that many in Nicaragua and the rest of Central America would be willing to get on their feet and head toward the United States, and there will soon be 100 million people between our borders and the Panama Canal.

If you use that figure of 10 percent, that is 10 million people. Let us put that in the perspective of the fact that we have more people guarding the Congress of the United States than we have guarding our borders. So the magnitude of the peril that we could face if we don't handle this thing properly just defies my imagination. So I thank you for the sensible comment that you have made this morning.

There has been a good deal of dispute by witnesses before this committee and, indeed, among members of the committee itself about whether the Sandinistas ever promised elections before 1985. Do you have any knowledge about that?

Ambassador KIRKPATRICK. Yes, Senator. There is no doubt that the Sandinista command which made commitments in the period before its victory to elections. It was generally expected that there would be elections within a year of the defeat of Somoza, and even when the Sandinista Directorate began to hedge on their commitment at the national level, it was widely expected that there would at least be municipal elections during the first months after the Sandinista triumphed.

They made very clear commitments, repeatedly in fact, and they simply have reneged on those commitments. They also made commitments, by the way, to a free press, free speech, free assembly—all the basic democratic rights.

I want to emphasize in my statement that I think it is very easy to understand why people should be either surprised or disappointed or both about the Sandinistas, because anyone who took the Sandinistas at their word would have expected great things of them.

Senator HELMS. What is the role of religion in Nicaraguan life today? Why do these revolutionary governments always, or so it seems to me, move toward eliminating the church? They can't stand religion. That is a leading question, I know.

Ambassador KIRKPATRICK. By the way, I think it is absolutely right. They always do. One of the real defining characteristics, almost a dead giveaway, about totalitarian aspirations in a government is, I think, its attack on organized religion in its society. It has happened again and again in every totalitarian or would-be totalitarian state.

I think the reason is this: Revolutionary totalitarian regimes want to control the whole moral realm. They want to define what is right and what is wrong. They want to define the purposes of life and they want to control discussion of those questions. So they want to control the education of children. They want to control the religious doctrines and beliefs that children acquire while growing up and they want to control the standards by which human behavior is going to be judged, including their own, in the society and they do not want any competitors.

So they move against churches and religious hierarchies in all societies, in fact.

Senator HELMS. This is related to the devastating actions against the Miskito Indians. They apparently could not stand the independence of those Indians, who just wanted to have their own little tribal and village life traditions and have their own council of elders to rule them.

So apparently the Sandinistas decided we cannot have this. We cannot have that independence. We cannot allow that liberty, so we will just kill you.

I have one final question. We talk about human rights, but I seldom see any measurement of human rights in terms of private property rights. Do you feel that private property is a basic human right?

Ambassador KIRKPATRICK. What I really like to talk about, personally, Senator Helms, and what I like to think about when I think about these questions is political and legal rights. I think there are a lot of human rights, like freedom of conscience, which have to be reduced to restraints on government action.

Now private property is one of the important bases of autonomy, in my view. I think if the Miskito Indians or the Indians of the North Atlantic coast are going to have some autonomy they are going to have to have some control over their means of production, their logging areas, and the other ways they support themselves.

I guess that I believe that the means by which people can try to preserve their own sort of minimal personal autonomy and control of their own lives come very close to constituting what I would call human rights, though I would rather, in thinking about politics and govern-

ments, limit the definition of human rights to legal rights, such as freedom—a free press, free religion, freedom of assembly, freedom from arbitrary arrest, which is due process—and leave all questions of social and economic structure to be settled by people themselves who are left free to make their own policies.

That is the way I prefer to think about it.

Senator HELMS. Thank you.

Senator Tsongas.

Senator TSONGAS. I certainly could agree with that definition. The Miskito Indians, as you well know, do not have a tradition of private property as do many other societies around the world.

Let me raise four issues with you very quickly. First, do you think that the flow of arms into Nicaragua violates the Rio Treaty and thus is grounds for implementing the provisions of the treaty?

Ambassador KIRKPATRICK. Senator Tsongas, I would not dream of offering an opinion on that. I have not studied the Rio Treaty ever in my life, though I have read it. I am not a lawyer. I think that is a legal question in fact, to be settled by international lawyers.

I just don't have an opinion about it. I think that the Rio Treaty, however, is an instrument relevant to questions of hemispheric security and precise determinations of its application in specific areas, I think, should be left to people more qualified than I.

Senator TSONGAS. Well, it has been employed a number of times.

Ambassador KIRKPATRICK. I am aware of that. I am aware that it was employed during the Cuban missile crisis.

Senator TSONGAS. Well, I think it is pretty clear. It certainly is an important treaty and one the President saw fit to particularly point out.

Let me get back to the Freedom House matter that I mentioned earlier. Let me say, unless there is any question, that I happen to think a blockade would be a mistake. It would just play right into the hands of those who wish us ill.

I find it intriguing that as we define our Central American policy we do so without the support of our allies. Most of them think that we are making a mistake, as you know. On the other side of the question, Nicaragua, by some of its policies, also had offended some of its allies. Many of the leftwing movements in Central America feel that their credibility has been diminished by the failure of Sandinistas to live up to what was anticipated of them.

So you have an instance of two governments sort of going off on their own with their traditional supporters scratching their heads.

The Freedom House list of comparative measures of freedom has, for example, Haiti listed as 13 out of 14 in the repressive index. The question I would raise, Mr. Chairman, is if we are going to raise the issue of human rights violations in Nicaragua, which I think is serious and in the case of the Miskito Indians legitimate, I would hope the committee also would see fit to hold hearings on those violations that take place in countries that are defined not by me but by Freedom House.

You could just go through the list of those that rank 10 and above. If you did that, you would have Argentina, Bolivia, Chile, Cuba, Guatemala, Haiti, Uruguay, Surinam, and Paraguay and Nicaragua.

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So at least the message that would come out of the committee would be a concern for human rights irrespective of ideology.

I was wondering whether the Ambassador would be willing to testify on those other countries as well were the committee to hold hearings.

Ambassador KIRKPATRICK. Senator Tsongas, I am ready to testify before this committee any time that I am invited, and on any subject about which the committee is interested in hearing my testimony.

I know more about some of those countries than I do about others. Some of those countries which you have just mentioned I don't know very much about. Surinam is an example. I don't know very much about them except for how they vote in the United Nations.

On the question of our allies and our support for our Central American policy, I would like very much to just mention that we don't just have allies in Europe. We also have friends and allies in this hemisphere.

I think we sometimes do not attach enough importance to the system of collective security which we have in the hemisphere. It is very interesting. The Rio Treaty, for example, was the first treaty signed after World War II in President Truman's effort to develop a system of interlocking treaties that provided for our collective security in the world.

It is very often given a much lower priority by many people today than, for example, is NATO, which came later, and which also is a very important instrument of our collective security. The fact is that the U.S. Government, including the previous administration and the current administration, has worked very closely and consulted continuously with the governments of this hemisphere, including, very specifically, for example, the other democracies of the hemisphere.

On human rights, it might interest you to know that at the United Nations, for example, we have a pattern of regular consultation with all the governments of the hemisphere and particularly close collaboration with the democracies of the hemisphere in our human rights activities at the United Nations.

I very deeply believe that our relations with nations of this hemisphere, and especially with the democracies of the hemisphere because they most closely share not only our values but our institutions, ought to have very high priority in our thinking about our position in the world.

Senator TSONGAS. I agree with you. The reason I have raised this is because some of us on the committee have argued for a negotiated settlement, bringing Ungo and Duarte together. That is a position taken by Costa Rica, Mexico, Panama, and Canada which would certainly fit into that category of allies.

If we are going to be listening to our allies and they are all advocating one position, we are writing that off. That troubles me.

Ambassador KIRKPATRICK. Let me be very clear about bringing Ungo and Duarte together. I think that is rather ambiguous, if what you mean by that is bringing them together to talk. Obviously they know each other very well and they don't need anybody to bring them together to exchange views.

If you mean by that support for the negotiated settlement which the FMLN has proposed then certainly not all the nations which you

have just listed support any such settlement. As I am sure you know, there was a very strong response to the French-Mexican communiqué—some 15 nations in the hemisphere spontaneously objected to that communiqué, which proposed just that. The vote in the OAS in support of the Salvadoran Government was much more overwhelming, with only 3 nations to 22, as I recall, voting in favor of that policy.

So I think in fact if we want to talk about our support for elections in Salvador and for the Duarte government's programs for elections in Salvador, then we are talking about a policy which has the overwhelming support of our allies and friends in this hemisphere.

Senator TSONGAS. My time is up. And in respect to that I would simply include in the record a February 23 New York Times piece entitled "Most Nations Reject Role in Salvador Elections," which I think goes into what some of our friends think of the process.

Thank you, Mr. Chairman.

[The article referred to follows:]

[From the New York Times, Feb. 23, 1982]

MOST NATIONS REJECT ROLE IN SALVADOR ELECTION

(By Barbara Crossette)

WASHINGTON, February 22.—Despite strong United States lobbying efforts abroad, only a few of the 60 nations that have received invitations from the Salvadoran Government have agreed to send observers to an election for a constituent assembly on March 28.

According to diplomats here, most invited governments are wary of arousing adverse public opinion at home by appearing to support balloting that the Salvadoran junta is arranging and that the insurgents say they will boycott.

Both the Reagan Administration and the Salvadorans, however, are counting on the election to give the junta wider respect. The constituent assembly is to draft a constitution and pave the way for the election of a government, possibly next year.

Only one European nation, Britain, has agreed to send observers. The United States, which has been advising the Salvadorans on planning the election since last fall, counts only four other firm commitments, these being from Colombia, Costa Rica, Egypt and Uruguay.

Salvadoran officials say, however, that they have privately received six additional acceptances—from Argentina, Chile, Ecuador, Haiti, Honduras and Panama. They say they expect others.

Brazil, however, has rejected the invitation. So has Canada, although it supports the election. Japan has not formally replied, but an embassy spokesman said the Government has said it would be difficult to take part, particularly since most Western countries have said no.

The political organizations representing the insurgents fighting the junta's forces in El Salvador's civil war have said the rebels could not put down their weapons and take part in voting because to do so would be suicida'.

The issue of observers reflects a growing division of opinion in Washington as well as in foreign capitals over whether there should be negotiations before the election.

The insurgents' position appeared to be strengthened last August when Mexico and France issued a joint declaration recognizing the rebels as a "representative political force" and calling for a negotiated political settlement.

The Salvadoran and American Governments have rejected this course, saying that to negotiate would be to turn over to the rebels at the table what they could not win on the field or in voting.

The Salvadoran Government, led by the junta's President, José Napoleón Duarte, sent out about 60 formal invitations to foreign governments to send observers, according to the Salvadoran Embassy here.

Although diplomats questioned give a wide variety of reasons for reluctance to become involved, they all say the issue is a political problem.

Venezuela's Christian Democratic President, Luis Herrera Campíns, has been a strong supporter of Mr. Duarte and reiterated his stance last November on a state visit here. Yet Venezuela has played down its backing of the Salvadoran balloting, under pressure from the main opposition party, Democratic Action, which has called for negotiations.

Latin American diplomats have also expressed fears of being seen to be intervening in Salvadoran political affairs. Salvadorans, United States and Latin diplomats say, worded their invitation very carefully to rule out foreign judgment of their voting. For this reason the Salvadorans are believed unlikely to accept any kind of international force to supervise the election.

They have, however, welcomed the announcement that the Organization of American States would send observers.

Britain felt that to turn down the Salvadoran invitation would be to prejudge the conduct or the outcome of the voting. Denmark declined in the belief that the election was not likely to be democratic.

A Belgian spokesman, Mark Galeyn, said Belgium supported the election but "most other Western European nations are not sending observers, and Belgium would be out there alone."

The Netherlands Parliament recommended that the European Political Coordination Committee, an unofficial group of Common Market foreign ministers, decide whether the European Community would send observers but they have not discussed it yet.

Senator HELMS. Thank you, Senator. Again, Madam Ambassador, I thank you for sharing your wisdom and knowledge with us this morning.

I was just sitting here and thinking that exactly 1 month ago today this subcommittee will be holding hearings on Central America, particularly on El Salvador. As I came into the office I met in the hall a young man from El Salvador, a veteran of the U.S. Army, one of the founders of an anti-Communist opposition party in El Salvador.

Now the rules of this committee do not permit a foreign witness in a formal session, so after that session was recessed, the formal session, informally I invited this young man, Richard Valdivieso, to come forward. He made clear that the purpose of the Communists, the Marxists, in El Salvador is to disrupt the elections, knowing that they cannot win them. That is where all of this negotiated settlement nonsense comes from.

I was astonished that on not one 6 o'clock news that night was Mr. Valdivieso mentioned, let alone a report of what he said. Now I do not want to be critical of the news media. I come from the news media, but it seems to me if this subcommittee serves any purpose, it ought to serve the purpose of having both sides presented to the American people to see what our options are and what our options aren't.

As you so eloquently stated earlier in your testimony, this is not just a philosophical debate that is going on with reference to Central America. The very survival of freedom in this hemisphere may be at stake. Now you did not say that, but I say it because, as I mentioned earlier, there are more policemen guarding the Congress of the United States than there are guarding the borders of this country to the south.

If we have an influx, say, of 10 million people who are fleeing communism in Central America, just as they have fled from Cambodia and other places, then we have a real crisis on our hands and we may as well face the prospects of that.

Senator TSONGAS. Mr. Chairman.

Senator HELMS. Yes.

Senator TSONGAS. I would also point out that we are getting people from Haiti as well. Repression exists on both sides of the ideological spectrum.

Senator HELMS. Yes. I did not mention that the young man to whom I referred was shot Friday, ambushed in El Salvador, and he is in critical condition. But he said on the occasion of his visit that he kept two things on his bedside table. One was a bullet that had killed one of his friends, and the other was a Bible.

Now he has several more bullets to add to that collection.

Thank you, Madam Ambassador, for being here with us this morning. This subcommittee is adjourned.

[Whereupon, at 12:20 p.m., the subcommittee adjourned, subject to call of the Chair.]

APPENDIX

NOTE.—The enclosed Map of Freedom does NOT include our present estimate that Poland has become "not free." Our press release DOES cover this latest judgment.

Our enclosed advertisement on the latest situation in Poland may be used to indicate our expanded views on current developments in that country.

NEWS FROM FREEDOM HOUSE, WILLKIE MEMORIAL BUILDING, NEW YORK, N.Y.

Almost 325 million people suffered a deterioration in human freedoms during 1981. The percentage of free peoples suffered a further decline to 35.86 percent. The advances in freedom were few. Iran, Guatemala, South Africa and—most dramatically—Poland moved to not-free status.

The Freedom House worldwide Survey reports that 1981 was not a good year for freedom. Poland, which suffered the sharpest loss, led the decline in freedoms. Few countries advanced and losses greatly outnumbered the gains.

The most dramatic loss of freedom was suffered by Poland when, in mid-December, the military leader imposed martial law, suspended the Solidarity union, detained its leaders and former Communist party leaders, and severely restricted civil rights. Earlier gains, which allowed Poland to be the only communist country rated "partly free" for most of the year, were harshly curtailed in December and are in danger of being crushed.

Before the Polish suppression the Comparative Survey of Freedom listed as not free 2,002 million people, 44 percent of the world's population. The addition of Poland's 36 million people would raise this to 2,038 million (44.8 percent).

Even without changing the status of Poland, the percentage of the world's free population dropped again. There are 1,631.9 million living in 54 free nations and 27 related territories (35.86 percent). Some 916.5 million people live in 49 countries and 23 territories that are partly free (20.14 percent), and 2,002 million people reside in 62 countries and 4 territories regarded as not free (44 percent).

The 44-page assessment of human rights, with accompanying tables and the Map of Freedom 1982, will appear January 2 in "Freedom at Issue," the bimonthly magazine of Freedom House. The 40-year-old human rights organization monitors political rights and civil liberties throughout the year.

Major shifts in the survey include South Africa, Iran and Guatemala going from partly free to not free. South Africa has always been close to being classified as not free but, notes Raymond D. Gastil, director of the survey, the reevaluation takes more fully into account the freedom to live and move where one wishes, a freedom increasingly denied to be black majority in that country. The concentration of blacks into the "homelands" has continued the past few years.

The Iranian revolution has become increasingly tyrannical and arbitrary. Thousands have been executed, many more have fled the country, and the opposition has been largely silenced. Independent news media have ceased to exist.

The efforts of the Guatemalan government to silence the opposition have led to government-directed terrorism and severe restrictions on movement and simple security from arbitrary official violence. The legal system is unable to protect officially declared rights.

South Africa, Iran and Guetemala have a combined population of 75 million people.

Although not reassigned to different categories, seven countries whose population totals 82.81 million suffered a deterioration in human freedoms. In Chad anarchy increased and control was in the hands of warring military factions. Djibouti banned a new party and arrested its leaders. Egypt sharply curtailed the activities of opposition politicians and religious fundamentalists, and restricted the opposition media. Nicaragua has increasingly pressed its opposition

into silence or exile. Libya has attempted to murder its opposition at home and abroad. Sudan has suppressed unions and engaged in widespread arrests. Zimbabwe has again repressed the news media for state purposes.

A number of nations showed some advances in freedom, including Taiwan, Honduras, Ivory Coast, Tunisia and Mauritius.

"The survey," said Dr. Gastil, "affirms the faith that free institutions are the ultimate human rights, a faith that too many on both the right and the left of the political spectrum deny. Both moral and material problems can be solved only in the context of free institutions, with all their imperfections."

The Freedom House survey began in its present form ten years ago. Commenting on the course of freedom in the seventies, Dr. Gastil said: "Since the survey was undertaken there has been a number of signal victories in the worldwide struggle for freedom. Most massive has been the turn of mainland China away from the anti-individualist totalitarianism of Mao. This has not led immediately to freedom, but it has led to a widespread interest in freer institutions in China and to a worldwide disillusionment with the idyllic, antirepublican model that China had represented.

"In Europe, recent gains for democracy have been dramatic. Spain, Portgual, and Greece have joined the community of democracies. In Latin America, Peru, Ecuador, Colombia, and Venezuela have achieved or solidified democracy. With the newsworthy problems of Cuba, Grenada, Nicaragua, and El Salvador dominating the discussion, we forget that the Caribbean is overwhelmingly an area of democracy, anchored on the one side by Costa Rica and on the other by Barbados. Both the Dominican Republic and Jamaica have overcome difficult problems in the last few years in establishing or maintaining democracy."

"African democracy has not fared well in recent years. Yet in the late seventies, democracy return to Ghana and Nigeria, although free institutions remain embattled in Nigeria.

"In Asia, India and Sri Lanka have maintained their democratic institutions under pressure. In Thailand democratic institutions seem to be gaining a firmer hold," and many new democratic states have emerged in the southern Pacific, from Papua New Guinea to the east. Japan, Australia, and New Zealand continue as the "democratic exemplars for East Asia," said Dr. Gastil.

In a new survey of economic freedoms, Lindsay M. Wright analyzed the fundamental struggle between freedom and oppression in the economic sphere. Ms. Wright examined the nature of economic freedoms and a democratic economy. She established criteria for determining the relative status of economic freedoms in the presence or absence of a democratic structure.

In an analysis of press freedoms Leonard R. Sussman, executive director of Freedom House, reports that "the press was no freer and journalists no safer than the countries in which they worked. News media were free in 24 percent of the countries, partly free in 20 percent, and not free in 56 percent."

At least 22 journalists are known to have been murdered in 1981—because they were working journalists. Fourteen other newspersons were assaulted, tortured or kidnapped by guerrillas or government forces.

Newspapers were bombed and newspersons harassed in Argentina, Brazil, Guatemala, India and Iran.

Foreign correspondents were expelled from China, Egypt, El Salvador, Haiti, Iran, South Africa, and Uganda, and deprived of accreditation in Algeria.

Third World demands and free-press fears clashed in organizational meetings of UNESCO that were intended to establish international programs to share communications technology with developing countries. These clashes, the outcome of which will have far-reaching consequences, will be carried on into the coming years.

FREE NATIONS

8 Antigua and Barbuda
10 Australia
11 Austria
13 Bahamas
16 Barbados
18 Belgium
19 Belize
25 Botswana
33 Canada
45 Colombia
49 Costa Rica
51a Cyprus (G)
53 Denmark
55 Dominica
56 Dominican Republic
58 Ecuador
65 Fiji
66 Finland
67 France
73 Germany, West
74 Ghana
76 Greece
89 Iceland
90 India
94 Ireland
96 Israel
97 Italy
99 Jamaica
100 Japan
104 Kiribati
114 Luxembourg
122 Malta
126 Mauritius
135 Nauru
137 Netherlands
141 New Zealand
144 Nigeria
148 Norway
153 Papua New Guinea
155 Peru
159 Portugal
167 St. Lucia
169 St. Vincent
177 Solomon Islands
181 Spain
182 Sri Lanka
186 Sweden
187 Switzerland
195 Trinidad and Tobago
199 Tuvalu
203 United Kingdom
204 United States
140 Vanuatu
208 Venezuela

RELATED TERRITORIES

4 American Samoa (U.S.)
7 Anguilla (U.K.)
12 Azores (Port.)
21 Bermuda (U.K.)
34 Canary Islands (Sp.)
36 Cayman Islands (U.K.)
39 Channel Islands (U.K.)
48 Cook Islands (N.Z.)
63 Falkland Islands (U.K.)
64 Faroe Islands (Den.)
75 Gibraltar (U.K.)
77 Greenland (Den.)
95 Isle of Man (U.K.)
117 Madeira (Port.)
127 Mayotte (Fr.)
132 Montserrat (U.K.)
138 Netherlands Antilles (Neth.)
139 New Caledonia (Fr.)

BEST COPY AVAILABLE

145 Niue (N.Z.)
147 Northern Marianas (U.S.)
157 Places of Sovereignty in North Africa (Sp.)
160 Puerto Rico (U.S.)
165 St. Helena (U.K.)
166 St. Kitts and Nevis (U.K.)
170 San Marino (It.)
198 Turks and Caiços (U.K.)
210 Virgin Islands (U.S.)

PARTLY FREE NATIONS

14 Bahrain
15 Bangladesh
22 Bhutan
26 Brazil
40 Chile
42 China, Taiwan
46 Comoro Islands
51b Cyprus (T)
54 Djibouti
59 Egypt
60 El Salvador
71 Gambia
84 Guyana
86 Honduras
91 Indonesia
98 Ivory Coast
103 Kenya
106 Korea, South
107 Kuwait
109 Lebanon
110 Lesotho
119 Malaysia
120 Maldives
128 Mexico
133 Morocco
136 Nepal
142 Nicaragua
152 Panama
154 Paraguay
156 Philippines
158 Poland
161 Qatar
173 Senegal
175 Sierra Leone
176 Singapore
183 Sudan
185 Swaziland
190 Thailand
193 Tonga
194 Transkei
196 Tunisia
197 Turkey
200 Uganda
202 United Arab Emirates
205 Upper Volta
206 Uruguay
212 Western Samoa
217 Zambia
218 Zimbabwe

RELATED TERRITORIES

5 Andorra (Fr.-Sp.)
17 Belau (U.S.)
27 British Virgin Islands (U.K.)
43 Christmas Island (Aus.)
44 Cocos Islands (Aus.)
68 French Guiana (Fr.)
69 French Polynesia (Fr.)
79 Guadeloupe (Fr.)
80 Guam (U.S.)
87 Hong Kong (U.K.)
113 Liechtenstein (Switz.)
115 Macao (Port.)
123 Marshall Islands (U.S.)
124 Martinique (Fr.)
129 Micronesia, Federated States of (U.S.)
130 Monaco (Fr.)
146 Norfolk Island (Aus.)
149 Occupied Territories (Isr.)
162 Reunion (Fr.)
168 Saint Pierre and Miquelon (Fr.)
180 South West Africa—Namibia (S. Afr.)
192 Tokelau Islands (N.Z.)
211 Wallis and Futuna (Fr.)

NOT FREE NATIONS

1 Afghanistan
2 Albania
3 Algeria
6 Angola
9 Argentina
20 Benin
23 Bolivia
29 Bulgaria
30 Burma
31 Burundi
102 Cambodia
32 Cameroon
35 Cape Verde Islands
37 Central Affairs Republic
38 Chad
41 China, Mainland
47 Congo
50 Cuba
52 Czechoslovakia
61 Equatorial Guinea
62 Ethiopia
70 Gabon
72 Germany, East
78 Grenada
81 Guatemala
82 Guinea
83 Guinea-Bissau
85 Haiti
88 Hungary
92 Iran
93 Iraq
101 Jordan
105 Korea, North
108 Laos
111 Liberia
112 Libya
116 Madagascar
118 Malawi
121 Mali
125 Mauritania

BEST COPY AVAILABLE

131 Mongolia
134 Mozambique
143 Niger
150 Oman
151 Pakistan
163 Romania
164 Rwanda
171 Sao Tome and Principe
172 Saudi Arabia
174 Seychelles
178 Somalia
179 South Africa
184 Suriname
188 Syria
189 Tanzania
191 Togo
201 USSR
209 Vietnam
213 Yemen, North
214 Yemen, South
215 Yugoslavia
216 Zaire

RELATED TERRITORIES

24 Bophuthatswana (S. Afr.)
28 Brunei (U.K.)
57 Easter Island (Chile)
207 Venda (S. Afr.)

TABLE OF INDEPENDENT NATIONS: COMPARATIVE MEASURES OF FREEDOM

	Political rights [1]	Civil liberties [1]	Status of freedom [2]	Outlook [3]
Afghanistan	7	7	NF	0
Albania	7	7	NF	0
Algeria	6	6	NF	0
Angola	7	7	NF	0
Antigua and Barbuda	2	2	F	0
Argentina	6	5	NF	0
Australia	1	1	F	0
Austria	1	1	F	0
Bahamas	1	2	F	0
Bahrain	5	*5	PF	0
Bangladesh	3	*4	PF	0
Barbados	1	1	F	0
Belgium	1	1	F	0
Belize	1	2	F	0
Benin	7	6	NF	0
Bhutan	5	5	PF	0
Bolivia	7	5	NF	0
Botswana	2	3	F	0
Brazil	4	3	PF	+
Bulgaria	7	7	NF	0
Burma	7	6	NF	0
Burundi	7	6	NF	0
Cambodia	7	7	NF	0
Cameroon	6	6	NF	0
Canada	1	1	F	0
Cape Verde Islands	6	6	NF	0
Central African Republic	7	5+	NF	0
Chad	7	6	NF	0
Chile	6	5	PF	0
China (Mainland)	6	6	NF	0
China (Taiwan)	5	5+	PF	0
Colombia	2	3	F	0
Comoro Islands	4	5	PF	0
Congo	7	*6	NF	0
Costa Rica	1	1	F	0
Cuba	6	6	NF	0
Cyprus (G)	1	2	F	0
Cyprus (T)	4	3	PF	0
Czechoslovakia	7	6	NF	0
Denmark	1	1	F	0
Djibouti	3	5	PF	0
Dominica	2	2	F	0
Dominican Republic	2	3	F	0
Equador	1	2	F	0
Egypt	8	6	PF	0
El Salvador	*5	*5	PF	0
Equatorial Guinea	7	6	NF	0
Ethiopia	7	7	NF	0
Fiji	2	2	F	0
Finland	2	2	F	0
France	1	2	F	+
Gabon	6	6	NF	0
Gambia	3–	4–	PF–	0
Germany (E)	7	7–	NF	0
Germany (W)	1	2	F	0
Ghana	2	3	F	0
Greece	*1	2	F	0
Grenada	6–	5	NF–	0
Guatemala	6–	6	NF–	0
Guinea	7	7	NF	0

TABLE OF INDEPENDENT NATIONS: COMPARATIVE MEASURES OF FREEDOM—Continued

	Political rights [1]	Civil liberties [1]	Status of freedom [2]	Outlook [3]
Guinea-Bissau	6	6	NF	0
Guyana	5−	4	PF	0
Haiti	7−	6	NF	0
Honduras	3+	3	PF	+
Hungary	6	5	NF	0
Iceland	1	1	F	0
India	2	3	F	0
Indonesia	5	5	PF	0
Iran	6−	6−	NF−	0
Iraq	6	7	NF	0
Ireland	1	1	F	0
Israel	2	2	F	0
Italy	1	2	F	0
Ivory Coast	5+	5	PF	0
Jamaica	2	3	F	0
Japan	1	1	F	0
Jordan	6	6	NF	0
Kenya	5	4	PF	0
Kiribati [4]	2	2	F	0
Korea (N)	7	7	NF	0
Korea (S)	5	6	PF	0
Kuwait	4+	4	PF	0
Laos	7	7	NF	0
Lebanon	4	4	PF	0
Lesotho	5	5	PF	0
Liberia	6	6	NF	0
Libya	6	7−	NF	0
Luxembourg	1	1	F	0
Madagascar	6	6	NF	0
Malawi	6	7	NF	0
Malaysia	3	4	PF	0
Maldives	5	5	PF	0
Mali	7	6	NF	0
Malta	2	3	F	0
Mauritania	7	6	NF	0
Mauritius	2	*3+	F+	0
Mexico	3	4	PF	0
Mongolia	7	7	NF	0
Morocco	4	5−	PF	0
Mozambique	7	7	NF	0
Nauru	2	2	F	0
Nepal	3	4	PF	0
Netherlands	1	1	F	0
New Zealand	1	1	F	0
Nicaragua	6−	5	PF	0
Niger	7	6	NF	0
Nigeria	2	3	F	0
Norway	1	1	F	0
Oman	6	6	NF	0
Pakistan	7	5	NF	0
Panama	4	4	PF	0
Papua New Guinea	2	2	F	0
Paraguay	5	5	PF	0
Peru	2	3	F	0
Philippines	5	5	PF	0+
Poland	5+	4	PF	0
Portugal	2	2	F	0
Qatar	5	5	PF	0
Romania	7	6	NF	0
Rwanda	6	6	NF	0
St. Lucia	2	*2+	F	0
St. Vincent	2	2	F	0
Sao Tome and Principe	6	6	NF	0
Saudi Arabia	6	6	NF	0
Senegal	4	4	PF	0
Seychelles	6	6	NF	0
Sierra Leone	5	5	PF	0
Singapore	4+	5	PF	0
Solomon Islands	2	2	F	0
Somalia	7	7	NF	0
South Africa	5	6	NF*	0
Spain	2	3	F	0
Sri Lanka	2	3	F	0
Sudan	5	6−	PF	0
Suriname	7	5	NF−	0
Swaziland	5	5	PF	0
Sweden	1	1	F	0
Switzerland	1	1	F	0
Syria	5	6	NF	0
Tanzania	6	6	NF	0
Thailand	3	4	PF	0
Togo	7	6	NF	0

TABLE OF INDEPENDENT NATIONS: COMPARATIVE MEASURES OF FREEDOM—Continued

	Political rights [1]	Civil liberties [1]	Status of freedom [2]	Outlook [3]
Tonga	5	3	PF	0
Transkei	5	6	PF	0
Trinidad and Tobago	2	2	F	0
Tunisia	5+	5	PF	0
Turkey	5	5	PF	+
Tuvalu	2	2	F	0
Uganda	5	5	PF	0
U.S.S.R.	6	7	NF	0
United Arab Emirates	5	5	PF	0
United Kingdom	1	1	F	0
United States	1	1	F	0
Upper Volta	6	5	PF	0
Uruguay	5	5	PF	0
Vanuatu [5]	2	3	F	0
Venezuela	1	2	F	0
Vietnam	7	7	NF	0
Western Samoa	4	3	PF	0
Yemen (N)	6	5	NF	0
Yemen (S)	6	7	NF	0
Yugoslavia	6	5	NF	0
Zaire	6	6	NF	0
Zambia	5	6	PF	0
Zimbabwe	3	5−	PF	−

[1] The scales use the numbers 1–7, with 1 comparatively offering the highest level of political or civil rights and 7 the lowest. A plus or minus following a rating indicates an improvement or decline in 1981. A rating marked with an asterisk (*) has been changed since the last Survey due to reevaluation by the author. This does not imply any change in the country. For further information on the scale and Survey, see "Freedom in the World, 1978."

[2] A free state is designated by F, a partly free state by PF, and a not-free state by NF.

[3] A positive outlook for freedom is indicated by a plus sign, a negative outlook, by a minus and relative stability of ratings by a zero. The outlook for freedom is based on the problems the country is facing, the way the government and people are reacting to these problems, and the longer-run political traditions of the society. A judgment of outlook may also reflect an imminent change, such as the expected adoption of a meaningful new constitution.

[4] Formerly the Gilbert Islands.

[5] Formerly the New Hebrides Condominium.